Even Afghans who were repatriating either because they sympathized with the Taliban, did not have any security concerns in Afghanistan, or saw a possibility of viably re-establishing themselves there, would probably not have chosen 2001 — when conflict and drought still plagued Afghanistan — to repatriate, were it not for the hostile environment that they faced in Pakistan.

13. Afghans who repatriate from Pakistan to Afghanistan, either through UNHCR's voluntary repatriation program or as a result of being screened out and deported, will receive minimal assistance in Afghanistan. Many will find it extremely difficult to re-establish a means of earning a livelihood.

Although returnees to Afghanistan have generally not gone back to the areas most affected by fighting or drought, the economy in Afghanistan has been decimated and the effects of drought are so widespread that it would be difficult for future returnees to support themselves. UNHCR has offered limited assistance in some areas to those who have returned voluntarily. Others will have to compete with their neighbors who stayed behind for whatever international assistance may be available in their home areas. Heightened tensions since September 11, 2001 dramatically lessen the prospects for assistance inside Afghanistan.

14. Although a number of Afghan refugees in Pakistan did not need continued protection there prior to September 11, 2001, Afghanistan is in such a state of crisis that promoting or seeking to induce large-scale repatriation at this time is inhumane.

A number of Afghan refugees who have lived in Pakistan since the days of the Soviet occupation of their homeland may no longer have cause to fear persecution in Afghanistan. Many of them are also from Afghan provinces bordering Pakistan where there has been little, if any, fighting. Under other circumstances, it might well have been appropriate to encourage those Afghans to return home. But Afghanistan cannot absorb them at the moment. In addition to post-September 11, 2001 prospects of outside military strikes on Afghanistan, the endless fighting in some regions of the country has created instability and drained resources nationwide. (The Taliban reportedly devotes all available resources to its war effort and does little to aid the war-affected population. Ironically, it leaves that task to Western relief organizations whose presence it so strongly dislikes.)

The severe drought in Afghanistan affects a much larger area than the conflict zone and has devastated the economy, uprooted hundreds of thousands of people, and rendered some areas uninhabitable. The massive international relief effort in Afghanistan is overstretched and cannot meet the needs of all who are affected. By taking steps aimed at prompting return, Pakistan has added to this enormous problem and put more people at risk.

15. Pakistan's problem is partly of its own making. Pakistan has continued to fuel the war in Afghanistan and thus contributed to the very problems that have kept many Afghan refugees in Pakistan and prompted other Afghans to seek refuge there.

Many observers believe that Pakistan has provided the Taliban funds, military supplies, training, recruits, and at times even troops. Pakistan reportedly has done this to advance its own regional political objectives. By doing so, however, Pakistan has fueled the Afghan conflict and ensured that many of the refugees in Pakistan will not be able to go home. To then pressure some of those same refugees to return to Afghanistan claiming that they are a drain on Pakistan's economy and cause social problems in Pakistan is, at best, disingenuous.

16. Other countries neighboring Afghanistan treat Afghan refugees more harshly than Pakistan does.

Pakistan's recent actions toward Afghan refugees and asylum seekers, while wrong, remain less harsh than those of some of its neighbors. As Pakistani government officials point out, Iran has forcibly repatriated tens (probably hundreds) of thousands of Afghans in recent years. Tajikistan has prevented Afghan refugees from entering at all. Pakistani officials rightly ask why Pakistan bears the brunt of international criticism. Pakistani officials also note that Western governments that are critical of Pakistan's actions routinely reject the asylum claims of Afghans who seek refuge in the West and then routinely deport them, often to Pakistan.

◆◆◆



III. AFGHANISTAN: CONFLICT AND DISPLACEMENT 1978-2000

Afghanistan has been at war for more than 23 years. Pakistan has hosted Afghan refugees for all of those 23 years. An estimated 1.5 million Afghans have died as a result of the conflict in Afghanistan;[4] as many as a third of Afghanistan's 26 million[5] inhabitants have been uprooted from their homes. Most have fled to neighboring countries; others have become internally displaced. Smaller numbers have migrated as far as Europe, North America, and Australia in search of refuge. In mid-2001, more that 3.6 million Afghans were still living as refugees in other countries, mostly in Pakistan and Iran; 700,000 were internally displaced.[6]

The conflict in Afghanistan began shortly after a communist government seized power in April 1978. The new regime sought to implement a program of massive agricultural reform that the uneducated, traditional rural population deeply resented and resisted. The regime turned to force to impose the reforms, killing tens of thousands of people, but only succeeded in further alienating the population. A resistance movement soon arose; thousands of Afghan refugees fled to Pakistan and Iran.

In December 1979, the Soviet Union, concerned that the communist government in Kabul was losing ground, invaded Afghanistan and installed a puppet regime. It soon had more than 100,000 troops stationed in Afghanistan, sparking even more opposition among the Afghan population. In response, the Soviet occupying forces unleashed a wave of terror on the civilian population. Hundreds of thousands of refugees poured out of Afghanistan, and within two years of the invasion, some 1.5 million Afghans were refugees, mostly in Pakistan.[7]

An Afghan resistance known as the "mujahideen," or holy warriors, grew rapidly in the 1980s. Journalist and author Robert D. Kaplan called the mujahideen "a motley collection of seven Pakistan-based resistance groups, divided by region, clan, politics, and religious ideology."[8] The mujahideen's' conservative religious views and strong anti-Soviet stand helped them generate support form a curious array of sources. Countries such as Saudi Arabia helped finance the mujahideen in order to help rid Muslim Afghanistan of the Soviet "infidels". The United States (and to a lesser extent the United Kingdom and France), caught up in the Cold War, channeled more than $2 billion in arms and funds to the mujahideen through Pakistan between 1982 and 1991.[9] Pakistan hosted and supported the mujahideen in order to advance its own goals of exerting influence over Afghanistan and preventing the emergence of a pan-Pashtun movement that would threaten Pakistan's unity (Pashtuns' tribal areas cover both eastern Afghanistan and western Pakistan). China weighed in to counter Soviet influence.

By 1986, nearly five million Afghan refugees were in Pakistan and Iran.[10] Besides the funds that went directly to the mujahideen, the West also poured money into the Afghan refugee camps in Pakistan, many of which served as bases for the mujahideen, through UNHCR and NGOs.[11] The international community did not, however, provide similar assistance to Afghan refugees in Iran, where in 1979 a revolution had put an Islamic fundamentalist regime in power and radical students had seized the U.S. embassy, taking dozens of U.S. citizens hostage.[12]

The occupation of Afghanistan proved costly for the Soviet Union, both financially and politically. At UN-sponsored talks held in Geneva in 1988, Moscow agreed to withdraw all of its troops from Afghanistan by February 1989. When the Soviets pulled out, they left in power another communist regime headed by Mohammed Najibullah. For three years, the United Nations tried unsuccessfully to broker a peace agreement between Najibullah and the mujahideen. In April 1992, the mujahideen captured Kabul and killed Najibullah.

Afghan refugees welcomed the victory, and in the course of 1992, more than 1.4 million refugees returned home. But far from bringing peace to Afghanistan, the mujahideen victory only opened a new chapter in the conflict. According to the British Agencies Afghanistan Group (BAAG), the various mujahideen parties were unable to agree on a power-sharing agreement and "fighting broke out between them almost immediately, as each sought to achieve its objectives by military means."[13] During the next few months, one of the mujahideen groups' shelling of Kabul killed 1,800 civilians and prompted the exodus of more than 100,000 Kabulis.[14]

According to Kaplan, between 1992 and 1994, "Afghanistan became a writhing nest of petty warlords who fought and negotiated with one another for small chunks of territory."[15] Fighting for control of Kabul during that period left much of the city in ruins and an estimated 50,000 Kabulis dead. In Kandahar, the largest city in southern Afghanistan, four mujahideen factions vied for control. Civilians in Kandahar "had little security from murder, rape, looting, or extortion," and "humanitarian agencies frequently found their offices stripped of all equipment, their vehicles hijacked, and their staff threatened."[16]





Destruction in Afghanistan, 1992.
Photo: USCR/Hiram A. Ruiz

Emergence of the Taliban

The chaos that existed in Kandahar in early 1994 brought together members of two groups seeking to remedy the situation: young returned refugees who while in Pakistan had been students in *madrassas* (religious schools) run by a sect that preached a strict, insular brand of Islam; and ultra-conservative religious Pashtun leaders from rural areas of Kandahar.[17] From these groups emerged a new, armed, religious-political faction that called itself the Taliban (which translates as "students" or "knowledge seekers").

One of the Taliban's first acts was to capture and hang a mujahideen commander who had committed numerous murders and rapes. "Similar campaigns against other warlords followed, and the Taliban soon gained a reputation for military prowess and acquired an arsenal of captured weapons."[18] In November 1994, the Taliban, which then numbered about 2,000, took control of Kandahar. The Taliban burned opium fields and executed drug traffickers, rounded up arms, and secured the area. It also established Sharia law, ordered women to wear burqas (tent like, head-to-toe coverings), banned their working outside the home (later lifted for the health sector), and ended education for girls.[19]

Some observers say that the Taliban very quickly came under the influence of Pakistan, particularly the country's intelligence service, which provided the Taliban money, weapons, and fuel, reportedly hoping to manipulate the Taliban towards its own ends.

By February 1995, the Taliban had grown to more than 25,000 fighters. It swept through eastern Afghanistan and threatened Kabul. The Taliban's unsuccessful attempt to capture Kabul, which lasted for several weeks, resulted in more than 1,500 casualties and prompted the flight of thousands of Kabulis from their homes. According to the March 20, 1995 *Washington Post*, the Taliban's siege, and its subsequent failure, changed perceptions about the group from one that "was seen by many as the one hope for halting more than a decade of destruction...to just another of the power-hungry militias fighting for control of the country."

In late August 1995, the Taliban began an offensive in western Afghanistan. It soon seized Farah and the west's largest city, Herat. Although the Taliban were welcomed in largely Pashtun Farah, that was not the case in ethnically mixed Herat. Heratis reportedly resented the Taliban's imposition of strict dress and behavioral codes and regarded the Taliban's Pashtun fighters as an occupying force. Many political leaders, businessmen, and young men left Herat after the Taliban's takeover, mostly to Iran.



The Taliban Advances

The Taliban made further advances in 1996. It launched a major offensive in eastern Afghanistan that resulted in its takeover of Jalalabad, the main gateway to Pakistan, in early September. Two weeks later, the Taliban captured Kabul. The Taliban tried to push farther north, but was stopped by opposition forces. Fierce fighting in Badghis province in November displaced an estimated 40,000 to 50,000 people.[20]

Fighting continued in northern Afghanistan throughout 1997 and 1998, as the Taliban continued its drive to capture the area. In July 1998, the Taliban mounted a successful offensive against Mazar-e Sharif, the opposition's de facto capital and northern Afghanistan's largest city. Taliban fighters reportedly massacred thousands of noncombatant members of the Hazara ethnic minority in Mazar-e Sharif and neighboring areas. Estimates of those killed ranged from 2,000 to more than 10,000. The then-UN Special Rapporteur on Afghanistan, Choong-Hyun Paik, reported that bodies were scattered on the streets of Mazar-e Sharif for up to a week because the Taliban would not permit relatives of the dead to remove them. The Taliban insisted that they only killed "those fighting the Taliban."[21]

In July 1999, the Taliban launched a major offensive into the Shomali Plains, an area 25 miles (40 km) north of Kabul where opposition forces had re-established themselves. The Taliban forces reportedly included many foreign (mostly Pakistani) volunteers and recruits, including child soldiers under the age of 14. The Taliban and their allies pushed the opposition forces out of the plains and precipitated a major exodus of the civilian population. More than 100,000 people fled to the northeast, into the opposition-controlled Panjshir Valley; another 10,000 fled to Kunduz Province. The Taliban reportedly forced more than 40,000 ethnic Tajik residents of the Shomali Plains to move to Kabul.[22]

Opposition forces recaptured the Shomali Plains soon afterwards, but by then the Taliban had destroyed almost everything in sight, including homes, crops, orchards, and irrigation systems. The Taliban regrouped and once again advanced into the Plains, but the opposition forces stopped them. The renewed fighting and purposeful destruction of the area forced thousands more displaced persons into Kabul, raising the number of displaced there to nearly 60,000.[23]

Many of the Afghans displaced from the Shomali Plains in 1999 returned home in 2000. However, some 60,000 remained displaced in the Panjshir Valley, an area that continued to experience sporadic conflict. In late July 2000, the Taliban launched another offensive. It seized Bangi in early August, and on September 6 captured Taloqan, the opposition forces' new headquarters and the last major Afghan city outside of Taliban control. Taliban forces then advanced farther north, almost to the Tajik border. The Taliban offensive displaced tens of thousands of people, both internally and to Pakistan.[24]

Among the displaced were some 10,000 persons who became stranded on several islands in a river along the Afghan/Tajik border. They tried to enter Tajikistan, but the Russian troops that patrol the border would not permit them to do so. UNHCR repeatedly requested Tajikistan to permit the group to enter, but Tajikistan refused, saying that the group included armed fighters. The group suffered periodic attacks by the Taliban throughout early 2000 and 2001. Although they initially received little international aid because of their isolated location, UN agencies subsequently assisted them.



Afghan family in ruins of their home in northern Afghanistan, summer 2000. Photo courtesy of Aina, UN Afghanistan Magazine.

UN Sanctions

The UN Security Council first imposed sanctions on Afghanistan in November 1999. Intended specifically to punish the Taliban for continuing to harbor Osama bin Laden, whom the U.S. government accuses of masterminding terrorist attacks against U.S. targets, and for permitting the presence of terrorist bases on Afghan



soil, the sanctions sought to stop the flow of arms to the Taliban.

A report by the UN's Office of the Coordinator for Humanitarian Affairs (OCHA) on the humanitarian impact of those sanctions said that they "had a tangible negative effect on the Afghan economy and on the ability of humanitarian agencies to render assistance to people in the country." The report added that many individual Afghans felt victimized by the sanctions, believing that the UN had "set out to harm rather than help Afghans."

In December 2000, even as the UN, donor governments, and NGOs struggled to provide humanitarian assistance to vulnerable Afghan civilians, the Security Council, spurred by the United States and Russia, voted to impose additional sanctions on the Taliban.

The United States said that the sanctions were "political, not economic," and that "trade and commerce, including in food and medicine, continue unabated." However, NGOs and UN agencies providing humanitarian relief in Afghanistan said that they would further strain relations between the Taliban and UN agencies and NGOs, and could put the lives of UN and NGO staff at risk or cause their withdrawal from Afghanistan, which would cripple relief efforts. UN Secretary General Kofi Annan also criticized the sanctions. UN agencies temporarily withdrew their staff from Afghanistan when the Security Council approved the sanctions.[25]

Pakistan's foreign minister warned that the sanctions would "further aggravate the humanitarian crisis...and compound the misery of the Afghan people." Reflecting Pakistan's concern that the sanctions could lead to additional flows of refugees into Pakistan, the foreign minister added, "Those pushing the sanctions that will force millions to migrate or perish will bear responsibility before history for this avoidable disaster."[26]

◆◆◆

IV. AFGHANISTAN IN 2001

Twenty-three years of unrelenting conflict, widespread human rights abuses, and, more recently, acute drought, have engendered a devastating humanitarian catastrophe in Afghanistan. More than 3.6 million Afghans are refugees in other countries and 900,000 others are currently internally displaced;[27] fighting continues in northeastern Afghanistan and in pockets elsewhere throughout the country; a host of countries seeking to advance their own agendas fuel the conflict by supplying arms to the warring parties; drought threatens the lives of millions; most of the population is living in poverty; much of Kabul lies in ruins; both women and men endure strict, Taliban-imposed behavioral codes; women and girls are prevented from working, receiving necessary health care, or getting an education.

Afghanistan reportedly has the "highest infant, child, and maternal mortality rates, the lowest literacy rate and life expectancy, and one of the two or three lowest levels of per capita food availability in the world."[28] In October 2000, the UN Commission on Human Rights special rapporteur on Afghanistan summarized the situation in Afghanistan as follows: "Afghanistan remains in a state of acute crisis—its resources depleted, its intelligentsia in exile, its people disenfranchised, its traditional political structures shattered, and its human development indices among the lowest in the world."[29] Even more alarmingly, there are no prospects for an end to this crisis anytime soon.

Political and Military Situation, Mid-September 2001

Achieving a total military victory remains the Taliban's foremost objective. It spends most of its resources on the war effort.[30]

The Taliban controls an estimated 90 to 95 percent of Afghanistan. The United Front (also known as the Northern Alliance, a loose coalition made up of former mujahideen still in opposition to the Taliban) controls only Badakshan, a province in the northeast of the country, and pockets of Takhar, Hazarajat, and the Panjshir Valley.[31] Most fighting takes place along the borders of Badakshan, as the Taliban and United Front battle for control over the area. In mid-2001, Taliban and United Front forces battled repeatedly for control of Yakaolang town, with each side capturing and then losing control of the town several times. In June, the Taliban reportedly deliberately destroyed much of Yakaolang (most residents had fled by then).[32]



Scattered bands of opposition fighters also operate across eastern, northern, and western Afghanistan, and numerous clashes occur in these areas. USCR interviewed refugees who had fled in 2001 to Jalozai camp in Pakistan to escape fighting in Saripul, Parwan, and Kabul provinces. Skirmishes even occur in areas usually thought to be safe. For example, in June, clashes took place in Naziyan, a town southeast of Jalalabad near the border with Pakistan.[33]

Although the government of Pakistan denied aiding the Taliban in 2001, there was substantial evidence that it did. According to the U.S. government, "Credible reporting indicates that Pakistan is providing the Taliban with material, fuel, funding, technical assistance, and military advisers."[34] According to Afghanistan expert Barnett Rubin and fellow authors of a January 2001 paper, *Afghanistan: Reconstruction and Peacemaking in a Regional Framework*, "The state with the closest links to Afghanistan is Pakistan. It is a proactive rather than reactive player.... Since 1994, the government and military of Pakistan have provided comprehensive assistance to the Taliban, including military supplies, training, assistance with recruitment of Pakistani and Afghan *madrassas* students...and, according to several governments, regular military units for key offensives."[35] The report adds that the Taliban is "organized, strengthened, and manipulated to serve the Pakistani military's concept of national and regional security."[36] Others, however, disagree that Pakistan has such influence. Journalist Robert D. Kaplan says that the Taliban "won't play the role of puppet."[37]

Many observers agree, however, that the Taliban's religious leader, Mullah Omar, has become increasingly autocratic. He has isolated himself and rarely consults with his former advisers.[38] According to Rubin et al., Mullah Omar's only current advisers are other elderly Mullahs who are "extremist and simplistic in their views" and Taliban government ministries are "now filled with young, barely-educated Taliban," which results in poor day-to-day governance.[39] The Taliban's opposition to all things Western has intensified. According to Rubin et al., many of Omar's advisors "believe that all non-Islamist foreigners, including NGOs and journalists, should be expelled from Afghanistan."[40]

The Taliban continues to restrict women's and girls' access to employment, education, and health care, although sources report that "some relaxation of the restrictions has been negotiated in some areas during certain times."[41]

Rubin et al. detail the complexities of the political dimensions of the conflict in Afghanistan. Their report notes that the conflict in Afghanistan has continued for so long, involves so many actors (both internal and external), and is intertwined with so many geo-political and economic interests that it "would be a mistake to analyze it solely or even primarily in terms of the political differences of the current protagonists." It adds, "It is unlikely to be settled by a negotiated agreement between these forces.... The war is not a civil war but a transnational war."[42] Pakistan, Iran, the United States, Russia, Saudi Arabia, Uzbekistan, Tajikistan, Turkmenistan, Kyrgyzstan, India, China, and the UN all play or have played a role, directly or indirectly.[43] Furthermore, the conflict "is linked to long-distance organized crime through both the drug trade and smuggling."[44]

The report also notes that, besides the large number of weapons already in the hands of the warring parties, outside parties continue to pour arms into Afghanistan. "The low cost of recruiting fighters and the availability of lootable and taxable resources," the report observes, ensure that the conflict can continue unabated.[45] Ominously, the report warns that if something is not done to change the current status quo, "This entire region (Afghanistan, southern Central Asia, Pakistan, Kashmir, maybe parts of Iran) could become a battleground for decades."[46]

Not all Afghans oppose the Taliban's ultra-conservative views and practices. In southern Afghanistan, the area from which the Taliban's leader and many of its top leaders hail, the population is generally conservative and many people support the Taliban. That is not the case in other areas, however. In the western city of Herat, many people regard the mostly-Pashtun Taliban as an occupying force.

Human Rights

According to Human Rights Watch (HRW), "Throughout the civil war in Afghanistan, all of the major factions have repeatedly committed serious violations of international human rights and humanitarian law, including killings, indiscriminate aerial bombardment and shelling, direct attacks on civilians, summary executions, rape, persecution on the basis of religion, and the use of anti-personnel mines."[47] Regarding governance by the Taliban, which controls most of Afghanistan, HRW adds, "In most of the areas it controls, the Taliban administration operates as a repressive police state."[48]

A senior UN advisor on human rights issues in Afghanistan told USCR that she is surprised at how little attention the international community pays to





Internally displaced boy at Maslagh camp, near Herat, western Afghanistan, January 2001. Photo: USCR/Hiram A. Ruiz

what she described as a "war on civilians" in Afghanistan. She questioned why massacres in other parts of the world evoke much stronger attention than they do in Afghanistan. "Massacres are part of a pattern," the UN human rights advisor said. "Every few weeks there are new reports of mass killings of civilians, but this receives little international attention."

The UN advisor added that besides massacres, both sides routinely commit other human rights abuses. As examples, she pointed to: the use of landmines, particularly by the United Front; both sides' use of indiscriminate bombing and shelling; the purposeful destruction of homes and entire villages; the detention of civilians; and forced recruitment. She noted that beyond these blatant human rights violations, there are other forms of abuse, such as limited availability of health care for women, a ban on women working outside their homes, and, restrictions that hinder girls' access to education.

A 2001 report by Physicians for Human Rights (PHR) showed that more than 90 percent of Afghans "strongly support rights of women [that have been] restricted by the Taliban regime, including equal access to education and work opportunities; freedom of expression, legal protection for women's human rights, and participation in government." The report adds that "PHR's findings...provide critical insight into the extent to which Taliban policies fail to represent the interests of the Afghan people." According to PHR, almost all women interviewed said that Taliban rules had made their lives "much worse" and "interfered with access to humanitarian aid." Women living in Taliban-controlled areas reported much higher rates of mental health problems, particularly depression, than women in areas outside Taliban control.[49]

In May 2001, a group that monitors developments in Afghanistan reported that in the previous months there had been a "progressive hardening of attitudes within the Taliban as a result of the growing power of the more radical elements." The group added, "This trend has manifested itself in more determined efforts by the religious police to impose behavioral and dress codes on the population... This renewed clampdown is also being extended to humanitarian agencies.... The [then]-UN coordinator [for Afghanistan] Eric de Mul also reported increased interference by Taliban officials in the work of UN personnel, adding that some of his staff had been arrested, harassed, and even physically abused by the Taliban."[50]

The concern of NGOs working in Afghanistan deepened in early August 2001 when the Taliban arrested 8 expatriate and 24 local staff of Shelter Now International (SNI), an international NGO working in Afghanistan. The Taliban accused the foreigners of proselytizing, which the Taliban have decreed a crime punishable by death for Afghan nationals and imprisonment for foreigners. A UN spokesperson called the arrests "a major concern" and part of a Taliban "pattern" of creating difficulties for foreign aid workers.[51] For weeks, the Taliban refused to permit representatives of the arrested foreigners' governments access to the detainees.

Shortly afterwards, the Taliban accused the World Food Program (WFP) of complicity in the incident because SNI had been delivering food provided by WFP. WFP strongly rejected the Taliban's criticism and, according to a news report, said that the



Taliban should help facilitate its gigantic task of delivering food aid rather than obstruct it.[52]

The Humanitarian Situation

According to a late-2000 UN report, Afghanistan is on "the brink of catastrophe."[53] A U.S. government refugee official who visited Afghanistan noted in May 2001 that the crisis could reach "apocalyptic" proportions.[54]

In February 2000, WFP first warned that a lack of rain and snow could lead to poor crops that summer. By early June 2000, the UN reported that 3 to 4 million Afghans were severely affected by what it described as the worst drought to hit Afghanistan in more than 30 years. WFP and NGOs working in Afghanistan sought to forestall large-scale displacement by distributing food in some of the most affected areas. However, according to a UN report, "the aid community's operational realities...the most serious one being the scarcity of resources and capacities," prevented them from achieving that objective.[55] Beginning in June 2000, tens of thousands of Afghans abandoned their homes in search of food. By year's end, some 350,000 Afghans had become newly displaced, many of them due to the drought, others due to the war. Another 172,000 had fled to Pakistan.[56]

In early 2001, tens of thousands more Afghans fled to Pakistan or became displaced within Afghanistan. By August 2001, an estimated 900,000 Afghans had been internally displaced. Most were not in camps, but living with friends or relatives in Afghanistan's larger towns and cities. According to a study carried out in May 2001 by the International Rescue Committee (IRC), an international NGO that has programs in Pakistan and Afghanistan, "Many of these displaced persons [in urban centers] and their hosts suffer the same needs as camp occupants. Yet often these urban displaced do not fall clearly within the overall humanitarian aid strategy aimed at displaced Afghans."

Nearly half of the displaced (more than 550,000 persons) were located in northern and central Afghanistan, areas battered both by conflict and drought.[57] According to a UN report, "In many parts of the region, the combined effect of drought and armed conflict on displaced communities are so intertwined that it has become virtually impossible...to make clear distinctions...[between them as] factors creating displacement."[58]

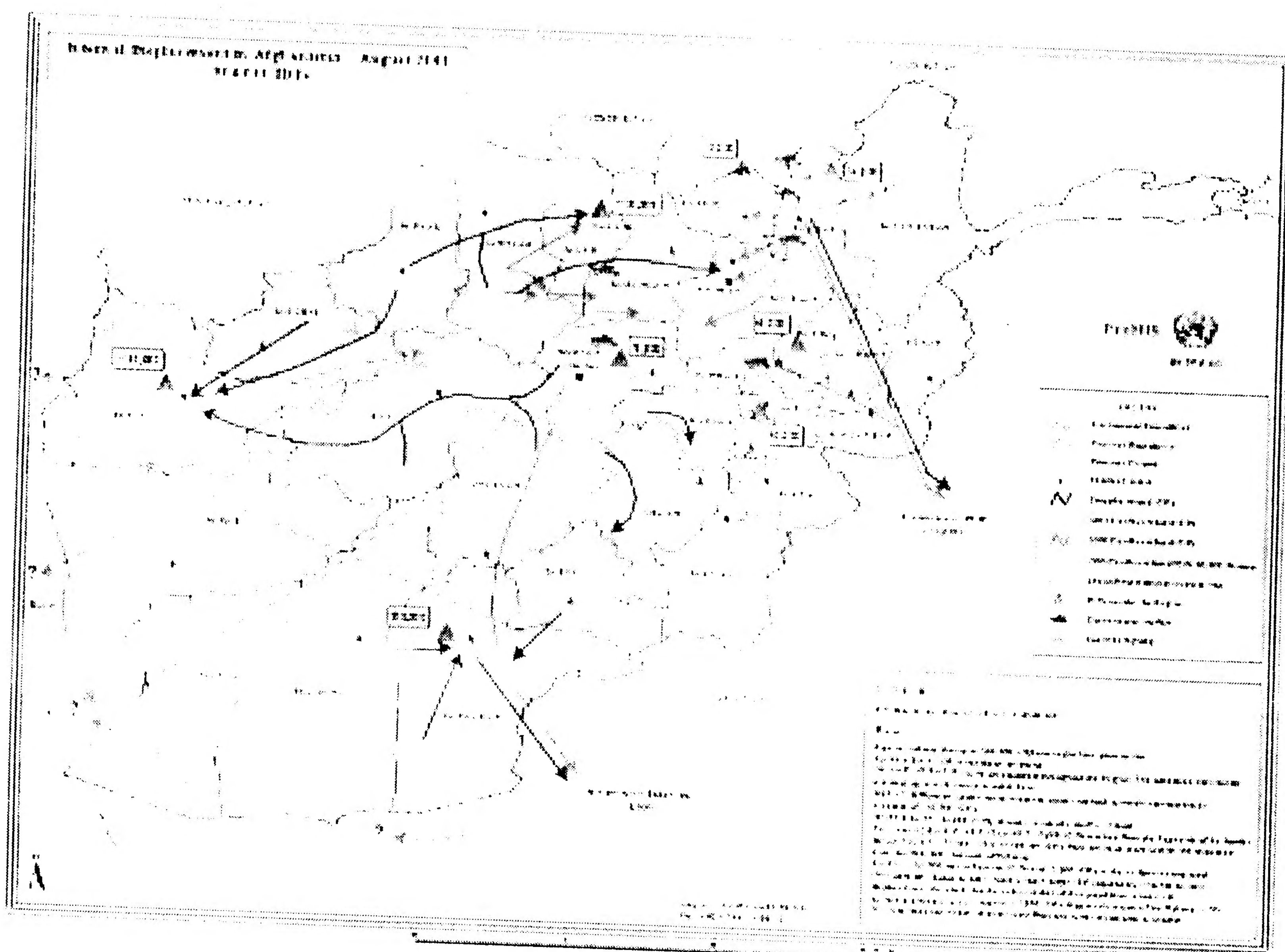
In May 2001, the UN reported that it would be unable to prevent further large-scale displacement. "The sheer magnitude of the population in need," the organization reported, "coupled with limited resources and logistical constraints such as road access and security conditions as well as the lack of implementing partners, have significantly limited the collective ability of the assistance community to reach all those in need before they have no option but to move."[59] In some areas, the Taliban has obstructed international relief efforts, such as barring aid agencies from assisting residents of the Hazarajat region, even though there are some 60,000 displaced persons in the area.[60]

The UN Coordinator for Afghanistan, Michael Sackett, told USCR that the anticipated food deficit in Afghanistan in 2001 is only slightly less than it was in 2000. Despite extensive efforts, he said, the international community would only be able to meet approximately ten percent of the deficit. Sackett expressed concern that in 2001 Afghanistan's rural population had less capacity to cope with the effects of the drought than it had the previous year. "The poorest people no longer have assets," he said. "They have sold everything they have, and the possibility of obtaining loans has dried up. Overall, the situation is unambiguously worse than last year."[61]

The Taliban's ban on the cultivation of poppy (used to make heroin), while welcomed by the international community, has contributed to further economic distress and displacement. The Taliban imposed the ban suddenly, without plans to provide the tens or hundreds of thousands of farmers who grew poppy any viable economic alternative.[62] Not only poppy farmers were affected. Many landless laborers dependent on work in the poppy fields also became unemployed, and had little choice but to migrate to camps for internally displaced persons or to Pakistan. In May, U.S. Secretary of State Colin Powell announced that the United States, already the largest provider of humanitarian assistance to Afghanistan, would allocate an additional $43 million in humanitarian aid to Afghanistan, in part to assist farmers who had stopped growing poppy.[63]

In May 2001, WFP warned than more than one million Afghans were expected to face "an unbridgeable food security gap," observing that "famine conditions have been reported in several districts in the Western region, in the Northeast and in the Central Highlands. Severe malnutrition among children and in some cases famine-related deaths have also been recorded. Urban centers reflect the increasing strain of the incoming flows of internally displaced persons. In all but one of the six major urban centers, casual labour wages are no longer sufficient to meet the survival needs of households."[64] In September, WFP said that "people are surviving by eating grass, locusts, and bread crumbs in some areas."[65]





V. AFGHAN REFUGEES IN PAKISTAN 1978-2000

Most Afghan refugees who arrived in Pakistan in the late 1970s and 1980s were ethnic Pashtuns. They were housed in refugee camps throughout Pakistan's two westernmost provinces, NWFP and Baluchistan. A small minority settled in those two provinces' largest cities, Peshawar and Quetta. Over the years, the camps turned into villages that appear much like other rural villages in Pakistan. Many of the refugees carved out predictable lives, at least compared to what they could expect in Afghanistan. Most found at least subsistence work in the local economy, or rented land to cultivate. Some maintained a foothold in both countries by living in Pakistan while hiring tenant farmers to work their land in Afghanistan. Some, however, remain vulnerable, including those who are handicapped, sick, or widowed.

After the Soviet withdrawal from Afghanistan in 1989, the West began to lose interest in Afghan refugees, and many donor countries reduced their refugee program funding. At about the same time, many of the NGOs working with the refugees, in anticipation that many or most of the refugees would soon return home, shifted the primary emphasis of their programs away from care and maintenance in Pakistan to facilitating repatriation and helping returnees inside Afghanistan.

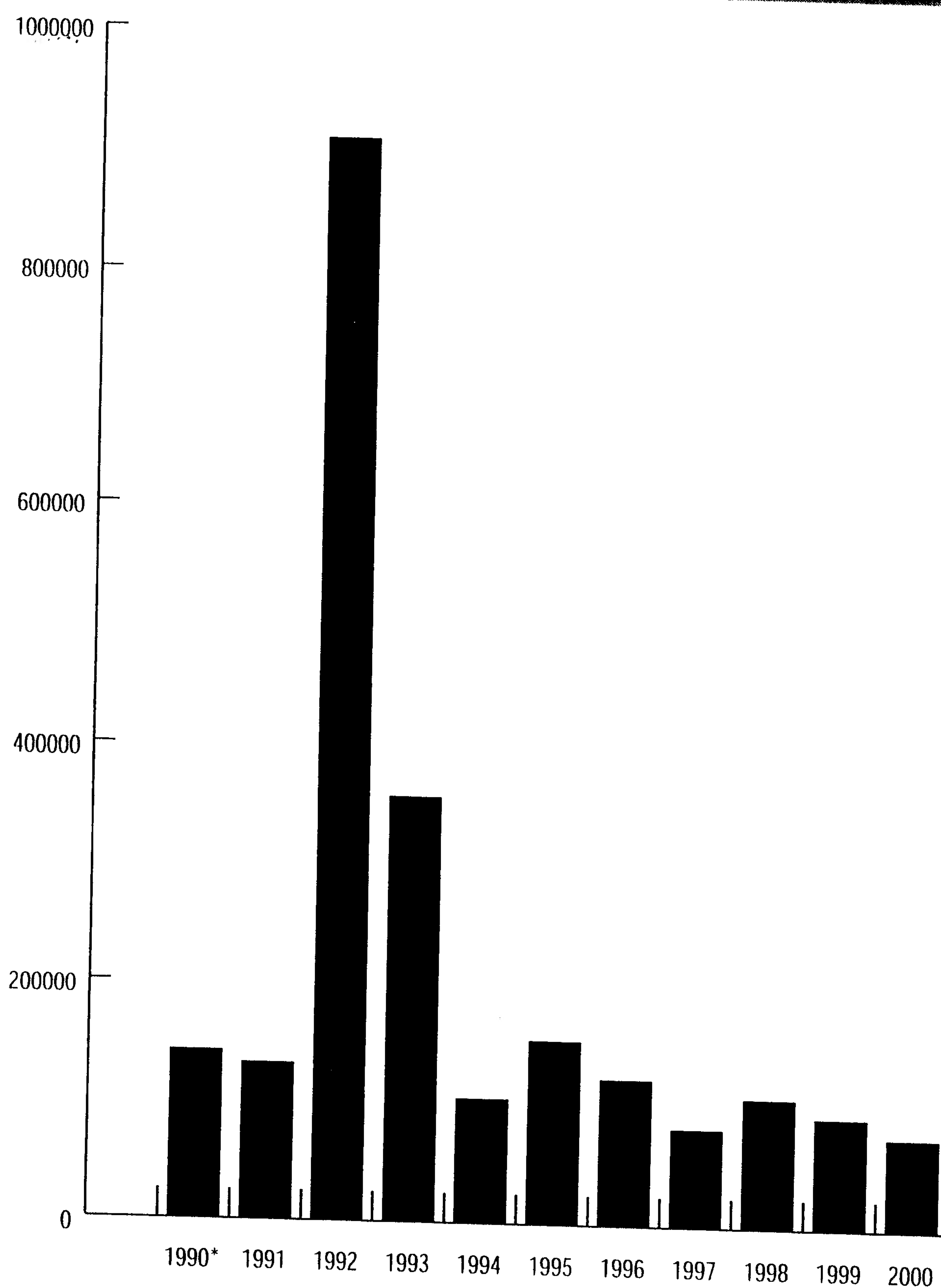
The mujahideen's overthrow of Najibullah in April 1992 triggered an immediate and massive repatriation."[66] Between April and December 1992, an estimated 900,000 Afghans returned home.[67] UNHCR reported that, during a one-week period in July 1992, more than 100,000 Afghans repatriated from Pakistan. The agency said it was the "largest and fastest repatriation program [ever] assisted by UNHCR."[68]

The UN had two programs to assist returning refugees. In Pakistan, UNHCR set up an encashment program that offered refugees a set sum of money in exchange for their ration card. The refugees were supposed to use the funds to pay the cost of transportation home and have enough left to buy food and other items for their immediate survival upon return. Most



of the refugees who "encashed" repatriated to Afghanistan either shortly after encashing or within the coming year. Others, however, stayed in Pakistan and used the funds to start small businesses or build homes.[69]

In Afghanistan, "Operation Salam," sought to create "conditions conducive to return...[including] mine clearance, health programs, rehabilitation of the water supply, basic education, road repair, services for groups with special needs, such as the disabled." Operation Salam ran into financial, logistical, political, and security problems from the start, however.[70] Repatriation continued at a brisk pace in 1993, but



*1985-1989: zero: 1985-2001: data from USCR World Refugee Surveys. Estimates of the total number of refugees repatriating varied widely, since some refugees repatriated through UNHCR-assisted and monitored repatriation programs, and other repatriated through their own means.

** A monitoring system was not in place in 1990, and estimates of the number who repatriated that year ranged from 80,000 to 200,000.



leveled off during the rest of the 1990s as in-fighting between the various mujahideen factions created havoc in Afghanistan.

The rise of the Taliban in 1994, combined with continued fighting between 1994 and 1996, caused further death and destruction that deterred refugees from repatriating and spurred new flows of refugees to Pakistan and Iran.

In late 1995, UNHCR and WFP ended food aid to most refugee village residents. They based their decision—which was to have significant long-term impact both on refugees in Pakistan and the Pakistani government's attitude towards the refugees' presence—on the results of a survey carried out in the refugee camps. The UNHCR/WFP survey indicated that a majority of the refugees were self-sufficient or would be able to achieve self-sufficiency if they had to do so (i.e. if they were not receiving free food). UNHCR, WFP, and the government of Pakistan also believed that ending food aid would prompt more repatriation.

Cutting off food aid did not achieve either of these goals, but instead had other, unforeseen consequences. In December 1996, one year after the cut-off, the British Agencies Afghanistan Group (BAAG) published the findings of a study it had conducted on Afghan refugees' economic coping strategies. It found that many of the long-standing refugees "were living at a marginal level of existence, dependent on intermittent daily laboring work.[71] Several years later, a UNHCR representative said, "Self-sufficiency, instead of improving, has declined due to economic problems in Pakistan and dwindling income-earning opportunities."[72] Although many refugees were facing increased hardship in Pakistan, the pace of repatriation did not rise significantly. Whereas more than 150,000 Afghans repatriated from Pakistan in 1995, only some 120,000 repatriated in 1996, most likely because of continued fighting and unsafe conditions in Afghanistan.[73]

Another unintended consequence of UNHCR's and WFP's decision to cut off food aid to camp residents—one that the Pakistani government may not have anticipated and did not welcome—was that tens (perhaps hundreds) of thousands of refugees subsequently migrated to the cities in search of work.[74] The mass migration into the cities "may have contributed to exacerbating the resentment against refugees," UNHCR said.[75] Maj. Sahibzada Mohammad Khalid, Joint Secretary (Refugees) at the Ministry of States and Frontier Regions (SAFRON), told USCR, "In 1995, WFP and UNHCR came up with the idea of discontinuing aid to the refugees. At the time, the government of Pakistan gave silent approval, we didn't say yea or nay. Later on, when people began to move into the cities, we began to express our concern to them."

Many Pakistani people, the local media, and, more recently, Pakistani government officials, blame Afghan refugees living in the cities (both those who migrated from the camps and those who never lived in camps) for many of the social and economic woes plaguing Pakistan's cities. Muhammad Haroon Shaukat, a director general in the Ministry of Foreign Affairs, told USCR, "The refugees have caused social problems, including an increase in crime, drug addiction and drug trafficking, and illegal trade. Local people say that the Afghans take their jobs and drive up real estate prices."[76] SAFRON's Khalid added, "Kalashnikovs and automatic weapons were introduced into Pakistan because of the refugees. Drugs were introduced because of them. And, I am extremely sorry to say this, but a great deal of prostitution began. Refugees work for less, so they create unemployment for local people. I grew up in Peshawar. Conditions in the city are much worse than before."

The continued fighting in Afghanistan not only prevented the hoped-for levels of repatriation in 1996, but triggered an exodus of 40,000 new refugees from Afghanistan into Pakistan that year. Some of the new arrivals fled fighting associated with the Taliban militia's attacks on Jalalabad, an important city near the Pakistan border that was then home to more than 137,000 internally displaced persons.[77] But most fled after the Taliban's capture of the capital. Among the later refugees were many of the city's professionals and educated upper and middle classes, including government workers, medical professionals, and teachers. They left because they opposed the Taliban's anti-western, fundamentalist Islamic stance, which bans women from working or leaving their homes unescorted by male relatives, bars girls from attending schools, imposes strict dress codes (burqas for women, long beards for men), and prohibits television and music. Many members of ethnic minorities, fearing discrimination by the Pashtun-led Taliban, also fled.

Since consolidating its grip on power in most of Afghanistan, the Taliban has also tried to impose its policies on Afghan refugees in Pakistan. Many Taliban members were refugees in Pakistan and still have contacts and supporters in the camps. Through its supporters, it has warned refugees in Pakistan not to send girls over the age of eight to schools and has ordered teachers in schools for refugees to limit lessons for girls under age eight to verses from the Koran. When U.S. Secretary of State Madeleine Albright



Afghans in Iran Face Even Harsher Treatment

by Bill Frelick, Director, USCR

An estimated 1,482,000 Afghan refugees were living in Iran at the end of 2000. The Iranian government claimed that another 500,000 undocumented Afghans lived in Iran, but this figure could not be independently confirmed. Many of the Afghan refugees in Iran have lived there for nearly two decades. They are concentrated in two eastern provinces bordering Afghanistan-Khorasan, with an estimated 390,000 refugees, and Sistan-Baluchistan, with about 400,000. Afghans are also found throughout Iran, in urban centers, as well as in the poor rural areas in eastern Iran.

In recent years, Iranian officials have made it clear that they no longer welcome Afghan refugees, in part because of Iran's concern that refugees take scarce jobs away from local people. Beginning in 1997, the government has set several deadlines for refugees to leave the country, has declined to register new arrivals from Afghanistan as refugees, has attempted to round up and confine refugees to camps, and, at times, has deported them summarily. Hostility toward Afghan refugees reached a new high in late 1998 and early 1999, when mobs attacked, and in some cases killed, Afghan refugees, and demanded their deportation. Iran deported about 100,000 Afghans in 1999, many of whom were summarily repatriated after round-ups in the eastern provinces and urban centers.

During the first three months of 2000, Iranian Revolutionary Guards swept Afghan-populated areas, arresting Afghans on the street and while riding public transportation, confining them to camps, and then deporting them directly to western Afghanistan. Although sweeps mostly caught single men, whole families were reportedly arrested in southern Tehran in March, sent to a camp at Askarabad, and from there bussed to the Nimruz region of western Afghanistan.

In April 2000, the Iranian government and UN High Commissioner for Refugees (UNHCR) began a joint repatriation program for Afghan refugees. The "Joint Program" represented an attempt by UNHCR to introduce order and refugee status screening to a process that in recent years had become increasingly arbitrary and coercive. Under this program, Afghans in Iran, regardless of current status or time of arrival, were invited to come forward either to benefit from an assistance package to repatriate voluntarily or to present their claims for the need for protection from return.

UNHCR and the Iranian Bureau of Aliens and Foreign Immigrants Affairs (BAFIA) established nine screening centers to assess Afghan refugee claims. Although UNHCR attempted to apply the UN Refugee Convention standard to the protection screening, BAFIA issued a directive to its examiners identifying particular category groups in need of protection: persons with military background; politically active persons; persons arriving from areas in active conflict; and persons active in the arts and sciences. The BAFIA directive had the effect of excluding or deterring uneducated applicants from agricultural backgrounds whose claims of persecution were based on religion (being Shi'a Muslims) or ethnicity (Hazaras).

During the nine-month program, the joint screening centers received applications from about 48,000 cases, representing about 250,000 persons. Shortly after opening, however, the authorities closed the Tehran center, citing security reasons. Consequently, significant numbers of Afghans in the Tehran area were not able to participate in the screening opportunity.

Some 14,940 cases, representing about 80,000 people, were recognized as refugees, and 3,595 cases, representing about 20,000 people, were still pending. It was not reported whether the 29,403 rejected cases, representing roughly 150,000 people, were deported.

The Iranian authorities issued individuals recognized as refugees three-month temporary residence permits that could be renewed four times. It remained unclear, however, what would happen to temporary permit holders after one year.



In addition to the refugee screening procedure, BAFIA and UNHCR established voluntary repatriation centers in Tehran, Mashhad, and Zaheden to facilitate the return of other documented and undocumented Afghans. Some 133,612 Afghans voluntarily returned under the auspices of this program. However, nearly 50,000 more Afghans "spontaneously returned" without UNHCR assistance, their return "facilitated" by the Iranian authorities.

UNHCR determined that the spontaneous returns were voluntary. However, USCR considered as involuntary the returns resulting from the mass round-ups that occurred prior to the joint repatriation exercise and the deportations during the UNHCR-Iranian joint exercise. USCR based its assessment, in part, on interviews conducted during a January 2001 site visit to western Afghanistan in which recent repatriates from Iran said that they had been coerced into returning.

Critics of the repatriation program charged that drought- and conflict-ridden Afghanistan was not prepared to integrate returnees. They predicted that returnees would become destitute and internally displaced, and, ultimately, return to Iran with less certain status than when they left. In mid-2000, one of those critics, Médecins Sans Frontières, a key nongovernmental partner in the repatriation program that had conducted medical screening of returnees, withdrew from the program.

Although an average of 3,516 persons per week voluntarily repatriated to Afghanistan during the joint BAFIA-UNHCR program, by some estimates almost the same number of Afghans continued to enter Iran, making little net difference in the number of Afghan refugees in the country.

Despite the problems that Afghan refugees face in Iran, according to the UN Office of the Coordinator of Humanitarian Affairs (OCHA), as many as 200,000 Afghans may have fled to Iran between late 2000 and August 2001.[1]

Concurrent with that influx, according to UNHCR, Iran forcibly repatriated an estimated 82,000 Afghans. "We have certainly raised our concerns," Peter Kessler, UNHCR spokesman in neighboring Pakistan said in an interview reported by the Associated Press on July 19.

During 2001, the Iranian authorities increasingly accused Afghans of taking Iranian jobs. In June, a new law went into effect that imposes the equivalent of $25 fines on employers for each Afghan they employ, according to the UN's Integrated Regional Information Network (IRIN). A UNHCR official contested the claim that Afghan refugees take jobs away from local people, saying that Afghan workers mostly take low-paying manual labor jobs that Iranians don't want. According to the UNHCR official, following Iran's implementation of the new law, "Thousands and thousands of Afghans have been dismissed from their posts."

Local hostility towards Afghan refugees erupted into violence on several occasions during 2001. Several people were injured when fights broke out while anti-Afghan residents protested in the Pishva neighborhood, south of Tehran. Local residents shouted "death to Afghans" and scrawled anti-Afghan slogans on the walls of buildings in the area, according to UNHCR.

[1] *UN Office of the Coordinator for Humanitarian Affairs, data for map: "Internal Displacement in Afghanistan - August 2001."*

visited Afghan refugee camps in Pakistan in 1997, she denounced the Taliban's gender discrimination policies and practices in employment, education, and health, and vowed to ensure that opportunities for young Afghan girls would remain available in Pakistan.[78]

After UNHCR and WFP ended general food distribution in the refugee camps in late 1995, UNHCR stopped registering refugees at the camps, and put in place a system for new arrivals seeking assistance. UNHCR directed them to Akora Khattak camp, north of Peshawar, where the agency registered and assisted them. Most new arrivals between 1996 and 1999, being of urban background, did not seek assistance, however. They mostly settled in Peshawar and other Pakistani cities. In 1996, for example, only 16,000 of the 40,000 new arrivals sought UNHCR help.

According to UNHCR, a Taliban offensive against Mazar-e Sharif and other northern towns in late 1998 drove another 20,000 Afghans (mainly ethnic Tajiks and Hazaras, particularly women at risk) into



Pakistan, UNHCR said that many new arrivals were "seriously traumatized due to the tragic events they had witnessed."[79] The influx of Afghan refugees continued and increased in 1999, during which an estimated 100,000 refugees arrived.

In 1999, Pakistan's frustration with the seemingly endless conflict in Afghanistan and the growing Afghan refugee population began to show. In several cities, Pakistani authorities stepped up their harassment of Afghan refugees. In June 1999, police demolished the stalls of a number of Afghan traders at a market in Peshawar, assaulting the traders and their Afghan customers. In November, local authorities in Baluchistan reportedly pushed back 300 Afghan asylum seekers.

At several points during 1999, Pakistani authorities threatened to move refugees living in urban areas into refugee camps. In most cities, however, the government did not actually follow through with any relocations. An exception was Quetta, the capital of Baluchistan, where the authorities did start forcing some of the estimated 300,000 Afghan refugees living in the city into camps. They moved some 1,830 families (approximately 11,000 people) in 2000 and another 800 families (about 5,000 people) during the first half of 2001.[80]



Newly-arrived Afghan refugees in Pakistan, June 2001. Photo: USCR/Hiram A. Ruiz

The largest influx of Afghan refugees in four years began in mid-2000, following heavy fighting in northern Afghanistan and the widening effects of a severe drought. UNHCR estimated that more than 172,000 Afghans entered Pakistan in 2000. Most sold everything they had in order to pay for the journey to Pakistan, and some had been internally displaced in Afghanistan for months before proceeding to Pakistan.

Although Pakistani authorities repeatedly said that they believed the new arrivals to be drought victims, not refugees, most observers thought that a majority of the new arrivals had fled, at least in part, due to fighting in their home areas.[81] A UN report said that even those who left Afghanistan primarily due to drought had "often been impoverished by recruitment costs [giving the Taliban cash to avoid being forcibly recruited] or damage to their property or livelihood through war, leaving no resources with which to survive the current severe drought."

Many refugees stayed with relatives or moved to cities throughout Pakistan without registering with the authorities or seeking assistance. Tens of thousands of others, particularly the most destitute among the new arrivals, made their way to Jalozai, site of a former refugee camp that had been home to ethnic minority refugees, but found little aid there. In late



2000, conditions at Jalozai were said to be among the worst of any refugee camp in the world.

VI. PAKISTAN TOUGHENS STANCE TOWARD AFGHANS

During the year 2000, Pakistan's attitude toward (and treatment of) Afghan refugees underwent what UNHCR's representative in Islamabad called an "irreversible and qualitative" change.[82] To be sure, the change was not sudden, surprising, or, some would argue, unwarranted. According to UNHCR's representative in Islamabad, Hasim Utkan, "It would be wrong to assume that the quality of asylum can be maintained forever, particularly after more than 20 years of being host to such a large refugee population."[83]

From the late 1970s through the early 1990s, the international community lavished substantial assistance on Pakistan, the refugees, and particularly on the mujahideen. However, in recent years, as Utkan noted, the international community has scaled back its level of assistance significantly and left Pakistan to "bear the brunt of this refugee situation."[84] That has had negative economic and social consequences for Pakistan and has contributed to Pakistan's changed attitude toward refugees.

The impact of a large refugee presence had been a concern to Pakistan for many years, even when the international community was providing much more assistance. Over the years, Pakistani authorities carried out numerous actions that reflected their impatience with the refugees. At various times during the late 1990s, for example, Pakistan temporarily closed its border with Afghanistan to prevent refugees from entering. There were several known instances—and undoubtedly many more unreported ones—in which Pakistani authorities rounded up hundreds of Afghans and returned them to Afghanistan. The authorities often threatened to force urban refugees into camps, though they rarely followed through on their threats.

Another factor contributed to the government's gradual change in attitude during the late 1990s: government officials' belief that most of the long-term refugees no longer qualified as refugees. Officials argued that since the refugees fled to Pakistan because of the Soviets and the Soviets left Afghanistan more than a decade ago, the original reason for their being considered refugees was no longer applicable. Furthermore, government officials argued that fighting in Afghanistan's eastern provinces ended when the Taliban seized control of the area and established order. Therefore, refugees from eastern Afghanistan no longer needed to fear for their security and should return home.

Khalid, the SAFRON ministry joint secretary, told USCR, "We have carried out surveys and found that 70 to 80 percent of the refugees are from areas of Afghanistan bordering Pakistan. No one can deny that absolute peace and calm prevail there." The Ministry of Foreign Affairs' Shaukat added, "Over the years, we have seen that many of the 'refugees' are not refugees. According to surveys that we have carried out in the camps, we believe that 75 percent are economic migrants, not refugees. Most of Afghanistan is free of conflict. We believe that there is no compelling reason for them to stay."

Although these factors had been steering Pakistan toward a new course, it was not until the year 2000 that the current, hardened attitude began to take hold. In June 2000, UNHCR's Utkan noted the changing mood. He said, "By international standards, Pakistan still maintains a most generous asylum process.... However, I would fail in my duty if I were not to mention that strains in the asylum system are surfacing." He added, "Donor fatigue, combined with difficult economic conditions in Pakistan, have now produced an asylum fatigue in the host country [Pakistan]."[85] Another observer noted that the Pakistani authorities look at the way Western countries treat asylum seekers and wonder why Pakistan should have to be more generous than they are.

In November 2000, Pakistan closed its border to new arrivals. For Pakistan, the border closure was symbolic. Though it was largely ineffective in practical terms (the border is porous and border guards are easily bribed), it was meant to signal its tougher stance. Because most would-be refugees still managed to get into Pakistan, the international community did not react very forcefully (some observers close to UNHCR express concern that it did not react very forcefully either). In June 2001, UNHCR's Utkan told USCR, "It is unfortunate that both UNHCR and donors underestimated the extent to which the government [of Pakistan] was serious about implementing the policy of the border closure."[86]

Even before the border closure, Pakistani authorities had embarked on a campaign of harassment of Afghan refugees living in urban centers. Police in the cities, who for years occasionally stopped undocumented Afghans and demanded small bribes to set them free, dramatically increased the frequency of



Government Officials' Views:

USCR met with two senior federal Pakistani government officials in June 2001—Mr. Muhammad Haroon Shaukat, Director General, Ministry of Foreign Affairs, and Maj. (R) Sahibzada Mohammad Khalid, Joint Secretary (Refugees), Ministry of States and Frontier Regions (SAFRON)—to discuss the situation for refugees in Pakistan. Following is a summary of their comments.

Mr. Shaukat said that the history of Afghan refugees in Pakistan is well known. Following the Soviet invasion of Afghanistan, there was much international sympathy with the refugees, and international donors provided substantial assistance. At that time, he said, the government of Pakistan extended open-ended asylum to Afghan refugees-a welcome that is almost unprecedented in modern history. Later, the conflict with the Soviets ended, and a new problem began. "The so-called 'donor fatigue' set in," Shaukat said, "and a sharp decline in the international community's commitment and assistance to Afghan refugees ensued. UNHCR assistance dropped, yet the refugees' needs remained."

Nevertheless, Shaukat noted, Pakistan continued to extend hospitality to the refugees and to receive new refugees. He added that there are two million Afghan refugees in Pakistan and that the government does not have the resources to assist them. "If donors have donor fatigue," he said, "then we have asylum fatigue." He added, "If donors' patience with the Afghan situation has run out, then so has ours."

Shaukat also noted that Pakistan had significant problems of its own, including the poor state of its economy-a problem exacerbated by various countries' sanctions against Pakistan because of the nuclear issue. With the need to repay more than $6 billion in loans, the Pakistan government is no longer in a position to extend assistance to new arrivals, said Shaukat.

In the past year and a half, Pakistan has had an influx of close to 200,000 Afghans. "Why doesn't the international community put pressure on Tajikistan and Uzbekistan and other countries to allow Afghan refugees to enter?" Shaukat asked.

According to Shaukat, various factors have caused the newest influx of Afghan refugees, including continued internal strife, drought, and the psychological impact of UN sanctions against Afghanistan—a factor he said most donors are reluctant to recognize. When the sanctions were imposed, there was a surge in new arrivals, he noted. "Only a handful of the new arrivals have fled persecution," he said.

Shaukat stressed that Pakistan and UNHCR were working on system to screen the new arrivals, and that those determined to be refugees would be assisted. As for the future, however, "government leaders have said that we cannot afford to take more refugees," he noted. "Donors and Afghans alike have to understand that."

Pakistan had thus concluded that the best way to help the Afghans is by assisting them inside Afghanistan, said Shaukat. Pakistan had asked the UN to establish camps inside Afghanistan to avoid the "pull factor," as well as to provide reconstruction assistance in the refugees' home areas to induce return.

Shaukat cautioned, however, that such efforts could not be undertaken without the international community engaging the Taliban. He said he understood the demand of Western nations that the Taliban respond to human rights concerns. "But if the international community ostracizes the Taliban," he asked, "how does it expect them to respond?"

Major Khalid noted that Pakistan's shift in policy toward the refugees had been gradual. When the Soviets left Afghanistan, Pakistan thought that the refugees would return home, he said. However, while some returned, most stayed, because the situation was better in Pakistan than in their homeland. Afterwards, Pakistan maintained the policy of promoting voluntary repatriation, but few of the refugees left, said Khalid, while at the same time Pakistan continued to receive hundreds



of thousands of new refugees. "Yes, now we have closed our border," he added.

Khalid predicted that if Pakistan continued to allow entry, some 700,000 Afghans would come. "Our closing the border hasn't stopped people from entering," he said, "but it has helped reduce the numbers."

Khalid recounted a saying that a person could look after his brother and his brother's family for a week, a month, even a year, but that eventually he would have to ask his brother to help support both families or to leave. Noting that Pakistan is not "cold-blooded," he explained, "It's just that we have reached our limit."

Adding to the sentiment, said Khalid, is the government's view that many of the recently arrived Afghans are most likely economic migrants and drought victims—neither of which are considered refugees by UNHCR.

If the international community commits to assisting those who are determined to be refugees, the government of Pakistan is prepared to permit them to stay, according to Khalid. As for the screening of other populations, such as urban refugees, no decisions have yet been made, he said, as it will depend on the results of this initial screening.

Khalid emphasized that unless the world community concentrates on the rebuilding of Afghanistan, Pakistan will continue to face this issue. "We recognize that the United States and others are providing aid to Afghanistan," he said, "but one pleads for more."

such actions and began extorting much higher amounts of money. In Peshawar, the police forcibly returned to Afghanistan thousands of Afghan men who could not afford to pay the higher bribes. In late January 2001, the governor of North-West Frontier Province even issued a decree ordering each police station in Peshawar to deport a minimum number of Afghans per day.[87] (See section on urban refugees.) A January 26 report by the UN Office for the Coordination of Humanitarian Affairs' Integrated Regional Information Network (IRIN) quoted an unnamed NWFP official as saying, "The government wants to send a clear message. Enough is enough."[88]

Pakistan's changed attitude toward Afghan refugees had its most serious impact on the estimated 200,000 Afghans fleeing conflict and drought who arrived in Pakistan between mid-2000 and early 2001, particularly those who sought refuge at Jalozai transit center near Peshawar. For months, only minimal assistance was provided to the Afghans at Jalozai and a major humanitarian catastrophe ensued.

Government officials say that their change in attitude was influenced by a number of factors: 1) Pakistan's worsening economy, which officials say makes it impossible for the government to continue assisting refugees; 2) dwindling international financial support for the refugees, which government officials say has increasingly shifted the burden to Pakistan; 3) social problems that the government of Pakistan says are caused or exacerbated by the refugees' presence; 4) the end of the Soviet occupation of Afghanistan, the cause of the flight of most "long-term" refugees (those who entered Pakistan between 1978 and the late 1980s); 5) that the home areas of many of the long-term refugees are free of conflict; and 6) the government's belief that many of the Afghans who have entered Pakistan since mid-2000 are victims of drought and UN economic sanctions, not of war or persecution, and therefore do not qualify as refugees.

UNHCR's assessment of the reasons for the change in Pakistan's attitude includes most of the above and some additional factors. According to UNHCR, in the face of a worsening economy, the government of Pakistan wanted to show its citizens that it was placing priority on their needs and interests, not on those of the refugees. Also, as the drought in Afghanistan worsened and it became clear that the international community would be unable to forestall the exodus of people from their homes in search of assistance (and safety, in the case of those fleeing fighting), Pakistan's fears of a massive influx grew.[89]

Based on its post-1995 experience, the government of Pakistan did not trust the international community to provide sufficient assistance to meet the short- and long-term needs of a large new group of refugees. Officials therefore looked for ways (such as closing the border and limiting assistance to refugees who managed to enter anyway) to deter more refugees from entering the country. Furthermore, the Pakistani authorities blamed the humanitarian crisis in Afghanistan at least in part on the sanctions that the UN imposed on the Taliban. (Pakistani officials would



not, however, acknowledge Pakistan's own role in exacerbating the situation by aiding the Taliban).

The head of an international NGO working in Pakistan told USCR that he thought the government of Pakistan's change in policy was largely driven by domestic concerns. "The government is under pressure," he said. "In the past year, the economy has gone from bad to worse. It is not surprising that the government would seek to blame outsiders, especially when many ordinary people are becoming hostile to the refugees and wanting them to leave. Many of them [local people] don't know that it may not be safe for refugees to return because the local media doesn't report news that reflects badly on the Taliban. Others don't care. Nine out of ten letters to newspapers about refugees are negative. People are tired of having to pay the consequences for the conflict in Afghanistan."

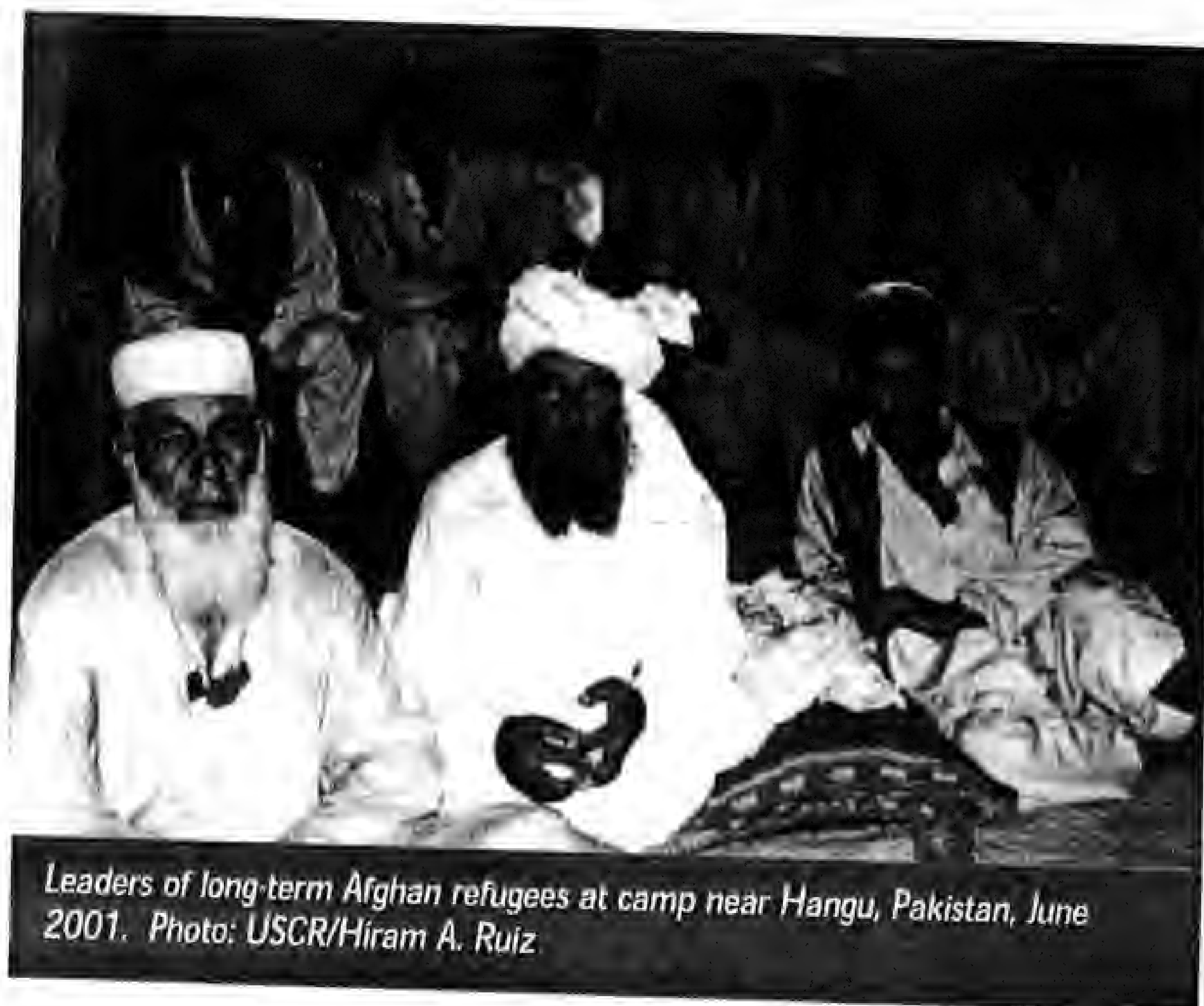
A UN official concurred. He said that the governor of NWFP, like many local people, probably believes that the presence of refugees contributes to crime and disorder in Peshawar. He added that the governor is trying to bring NWFP under control, and may see getting rid of the refugees as one way to promote order in the province.

Long-term Pashtun refugees whom USCR met at a refugee camp near Hangu said that they were well aware of the changes in the government's attitude. Although they had not been directly affected in the camps, family members who work in the cities had spoken of increased harassment, and were also aware of government attitudes from radio and newspaper reports.

One refugee at the camp near Hangu told USCR why he thinks the government of Pakistan has abandoned its welcoming attitude. "Pakistan only let the refugees in so that we could fight against the Soviets," he said. "Since the Soviets are gone, they see the problem as finished. Now Pakistan supports the Taliban and wants the world to think that everything is OK in Afghanistan by having the refugees return there." The refugee added that the government doesn't admit those reasons publicly. "That's not what they [the Pakistani authorities] say, though. They say that the refugees are an economic burden." The refugee disputed that claim, asserting that the refugees haven't hurt the economy, but have helped it. Many have businesses, pay taxes, invest in Pakistan, and save money in Pakistani banks, while others provide cheap labor both in the cities and in the fields.

An NGO official concurred with the Hangu refugee's perception that the Pakistani government has wanted to avoid any implicit criticism of the Taliban by hosting Afghan refugees. "Islamic fundamentalists are exerting increasing influence in Pakistan, including within the military and the government," the official said. "That is another reason why Pakistan wants the refugees to leave. The existence of large numbers of Afghan refugees reflects poorly on the Taliban."

Some of those whom USCR met voiced more cynical opinions on the government's change of attitude. The head of an Afghan NGO said, "I think that the government of Pakistan is playing a game to try to get more economic support from the international community. The government and others deliberately



Leaders of long-term Afghan refugees at camp near Hangu, Pakistan, June 2001. Photo: USCR/Hiram A. Ruiz



kept conditions at Jalozai harsh as a means of raising funds." A refugee noted that "the government of Pakistan can't punish the Western countries for reducing aid, so it is punishing the refugees as a fund-raising technique, to try to get more international assistance."

USCR also heard concerns regarding the way that UNHCR responded to the government's refusal to permit registration at Jalozai camp, which contributed significantly to the appalling conditions that evolved there. One observer voiced a common view, saying, "UNHCR adopted the wrong strategy from the beginning. It adopted a confrontational strategy, voicing its concerns publicly rather than privately. This culture favors quiet negotiation. Airing grievances publicly causes loss of face and only fans hostility."

VII. URBAN REFUGEES HARASSED, FORCIBLY RETURNED

The first refugees to feel the effects of Pakistan's shifting attitude towards Afghans were the many refugees living in urban centers.[90] Many migrated to the cities from the refugee camps over the course of the past two decades, particularly after 1995, when general food distribution ended in the camps. Among these are many young adults who grew up in the camps and saw no future there. Some moved to the cities in search of work, others to further their education.

Some refugees settled in the cities when they first arrived in Pakistan. Among this group are many professionals and other educated Afghans, members of ethnic minorities, and single or widowed women and their families who fled Kabul after the fall of the Najibullah regime in 1992 or after the Taliban's takeover of Kabul in 1996 .

Estimates of the number of Afghan refugees living in Pakistan's cities vary significantly. As of mid-September 2001, UNHCR estimated their number to be approximately 800,000, although there could be many more. Most live in Peshawar and Karachi, cities with larger Afghan populations than most cities in Afghanistan, while Quetta, Islamabad, Rawalpindi, Lahore, and other Pakistani cities also host tens of thousands of Afghans.

Pakistan has never wanted large numbers of Afghans in its cities. When Afghan refugees began arriving in 1978, the Pakistani government barred UNHCR from registering or assisting refugees in the urban centers. However, urban refugees technically benefited from the same prima facie refugee status that Pakistan accorded all Afghans on humanitarian (not UN refugee convention) grounds.

Throughout the 1980s and early 1990s, the Pakistani authorities (both national and NWFP) generally ignored the Afghan refugees in the cities. Substantial amounts of international assistance flowed into the country for refugees; Afghan mujahideen enjoyed international and Pakistani support; many urban refugees were opening small businesses that helped boost the economy, particularly in Peshawar, and others provided cheap labor for Pakistani businesses.

After food aid to most camp residents ended in 1995, the number of refugees migrating to the cities increased (at about the same time, new refugees from Kabul—many of whom were urban professionals—entered Pakistan and also settled in the cities). Employment became more scarce, local people's wages were driven down by the overabundance of cheap labor, and rents went up as competition for housing rose.

During the late 1990s, the Pakistani authorities became much more concerned about the number of refugees in the cities.[91] Public support for the refugees also began to wane. The authorities, the media, and the general public increasingly blamed refugees for Peshawar's and other cities' growing social ills, including crime, the widespread availability of weapons, drug abuse, prostitution, and the decline in the Pakistani economy.

Once the Taliban gained control of Kabul in 1996, the Pakistani authorities began to encourage the refugees to go home, saying that most of Afghanistan was now safe. The government also began to argue that newly arrived Afghans were not refugees but economic migrants.

Police harassment of urban refugees increased during this period. Police stopped refugees and threatened to deport those without documentation. However, the refugees could generally avoid deportation or detention by paying small bribes. During periods of domestic political tension, the Pakistani authorities rounded up groups of Afghan men, but generally released them after a few days.

Urban refugees' problems increased substantially in late 2000 in the wake of the new refugee influx that brought Pakistan's tolerance for Afghan refugees to an end. The police stepped up their harassment, extortion, detention, and *refoulement* (forcible return) of urban refugees, particularly in Peshawar. In November, Pakistan officially closed its border with Afghanistan and began denying entry to Afghans unless they had a current Afghan passport and valid



Pakistani visa, effectively barring most from entering. At the same time, the authorities began to insist that Afghan refugees living in urban centers also present these documents or face deportation.

While some Afghan refugees can afford to go to the Taliban's representatives in Pakistan and obtain a new passport for the equivalent of $100, most cannot. Others are afraid to do so. Many have turned to purchasing fake passports, which are readily available in the cities.

In early 2001, the government of NWFP, with the acquiescence of the national government, embarked on a policy of mass *refoulement*. On January 23, 2001, the governor of NWFP issued an order authorizing the police to detain and deport any Afghan not holding a valid Afghan passport and Pakistani visa, including both new arrivals and old refugees. The governor reportedly instructed each police station in Peshawar to deport a minimum of five to ten Afghan men daily.[92]

That initiated what a recent, UN-commissioned study on the forcible return of Afghan refugees called a period of "mass harassment in cities and officially sanctioned forcible return to Afghanistan in a systematic manner."[93] According to government statistics, the authorities rounded up and forcibly returned some 1,200 Afghan men (they did not detain or deport women) from Peshawar between October 2000 and mid-May 2001, most presumably after the January 23, 2001 edict.[94] Other sources said that Pakistani authorities forcibly returned a much higher number. A March 22 report by IRIN said, "Media reports from Peshawar...have indicated that some 10,000 Afghans without formal documents were sent back [solely] in February."

The study found that the mass deportations are "causing panic and alarm amongst the [Afghan refugee] community." The authorities do not give men they detain and forcibly return an opportunity to notify their families. The study found that "many are also subject to beatings while in detention."

The study added, "The government's public endorsement of mass detention has given license for police corruption." For every man whom the authorities deport, authorities reportedly stop or detain a number of others and demand bribes in exchange for not deporting them. Before the mass *refoulement*, police in Peshawar accepted bribes of only 10 to 20 rupees ($.16 to $.32). However, they now demand bribes of 200 to 300 rupees ($3 to $5).[95]

Deportees are usually able to get back into Pakistan within hours or days of their deportation



Urban refugee family.
Photo: USCR/Hiram A. Ruiz

(although some have been detained by the Taliban), but must bribe border guards or pay smugglers to take them around the border posts. Consequently, many male refugees from Peshawar, especially those too poor to pay the bribes police demand, are afraid to leave their homes, even to go to their jobs. Many have lost their jobs, and their wives have had to find ways to support their families.

The chairman of the Human Rights Commission of Pakistan, Afrasiyab Khattak, criticized the government's policy of harassing and deporting urban refugees as well as UNHCR's "passive" response. He told IRIN that the forced returns were illegal: "The police are arbitrarily deporting these people without any legal process.... These deportations are against Pakistani law." He added, "UNHCR is supposed to protect people from forced deportations...[but] is also particularly passive in this regard."[96] Khattak also expressed concern that the forced returns "could result in serious harm" to individuals forced back to Afghanistan.[97]

Khattak's concern that UNHCR did not protest the deportations strongly enough to the government was shared by two UN officials and a number of refugees whom USCR met. One UN official said, "The government [of Pakistan] has been deporting refugees, yet UNHCR has not registered any formal



PREFACE

As the U.S. Committee for Refugees (USCR) finalized this issue paper on the insecure position of Afghan refugees in Pakistan, terrorists carried out horrific attacks in New York and Washington that left thousands dead. Within hours, U.S. authorities began to investigate who might be responsible for the attacks. Attention quickly focused on Osama bin Laden, the man who the U.S. government believes masterminded the bombing of U.S. embassies in Kenya and Tanzania in 1998.

Osama bin Laden's home base is in Afghanistan. The Taliban, the radical Islamist group that controls most of Afghanistan, has sheltered bin Laden for several years. They do so because bin Laden supported Afghans' fight against Soviet occupying forces during the 1980s, because he helps bankroll the Taliban, and because the Taliban shares bin Laden's extreme hatred of the West.

As this paper goes to press, the U.S. government appears to be mobilizing to take military action in Afghanistan aimed at rooting out bin Laden or punishing the Taliban for harboring him.

All of us at USCR are outraged and deeply saddened by the terrorist attacks of September 11. We worry, however, about the potential impact of U.S. military action on Afghan civilians. The Afghan people have already suffered more than 23 years of war. Many of the cities in which they live, including the capital, Kabul, are in ruins; they endure human rights abuse at the hands of both the Taliban and opposition forces; and they are in the grip of a severe and prolonged drought that has engendered a humanitarian catastrophe. Millions of Afghans are dependent on international—mostly U.S.—food aid for their survival.

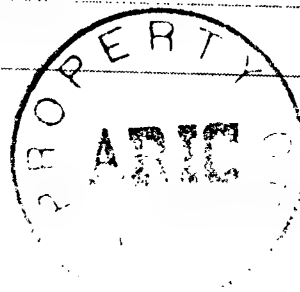
The possibility that the United States will take military action against Afghanistan has triggered fear and alarm among Afghan civilians, and the recent withdrawal from Afghanistan of United Nations personnel and international relief groups threatens to place countless civilians in even greater danger. Thousands of Afghans are attempting to flee to Pakistan and Iran.

As this paper goes to press, the full dimensions of the U.S. response to the terrorist attacks are still undetermined, and the situation is likely to change rapidly and dramatically. However, as of this moment (mid-September 2001), the United States has asked Pakistan to seal its border with Afghanistan for security reasons. This action is trapping thousands of Afghan civilians—ordinary men, women, and children who cannot be held responsible for the actions of those who rule them—in a place of danger. The United States and Pakistan should reverse this course of action.

In response to current events in Afghanistan and Pakistan, USCR urges the following actions:

- The United States should calibrate any military action it takes against the Taliban to avoid harm to Afghan civilians who bear no responsibility for the atrocities committed in New York and Washington. It should make every effort to safeguard the lives of innocent civilians.





protests, nor has it asked donors to register protests." An official of another UN agency added, "Increasingly, refugees have less and less confidence in UNHCR to protect them. They don't expect anything from UNHCR." A refugee living in Islamabad told USCR, "UNHCR has not cared much about the refugees. It has not protected our rights. There is a lawyer who takes information about cases [of police harassment], but they [UNHCR] don't respond."

UNHCR disagrees, noting that when the government began to forcibly return Afghans, UNHCR proposed the concept of screening in order to ensure that Afghans who had reason to fear for their security would not be forcibly returned. According to UNHCR, it was only afterwards that discussions with the government about screening turned toward the new arrivals at Jalozai and then other groups, such as those at Shamshatoo or Nasir Bagh.[98]

USCR visited several urban Afghan refugees in Peshawar who have been affected by the mass deportations. One woman, a widow with four children, said that her fifteen-year-old son had been arrested and deported twice between March and June 2001. Her son was able to return both times. Despite his fear of being forcibly returned again, he continues to work selling fruits and vegetables door to door because the family depends on his income.

Another refugee, who works as a guard and lives with his wife and three children in a small room behind the office he guards, said that he rarely leaves his home unless necessary. Although he has not been deported, he has been detained three times. Each time he was set free after international staff who work at the office he guards intervened on his behalf.

Local police in Islamabad and other cities in Pakistan, emboldened by the NWFP governor's mass *refoulement* campaign, have also expanded their harassment of Afghan refugees to new levels. Stopping Afghans on the street, once an occasional occurrence, became a regular practice that affected dozens if not hundreds of refugees daily. Refugees in Islamabad told USCR that the police often confiscate or destroy their old identification documents, telling them that they are worthless because all Afghans must now have an Afghan passport and a Pakistani visa.

The refugees said that the police in Islamabad no longer demand bribes of hundreds of rupees (several dollars) but of many times that amount. Those who cannot pay are officially charged as illegal aliens under the Foreigners Act of 1946 (amended in 1999). Most spend weeks or months in prison, usually until their families can raise the amount of money required to pay all of the bribes needed to secure the refugee's release. Few ever make it to a court hearing; those who do are invariably deported.[99]

One of the refugees with whom USCR met in Islamabad said he was arrested in late 2000. The police put him in their car and drove toward the police station. On the way, however, the police said that they would let him go if he paid 5,000 rupees (about $80). When he could not pay, they detained him overnight and took him to the court the next day, where he was charged with being in Pakistan illegally.

The refugee said he spent three months in prison while his family and friends raised the 5,000 rupees ($80) it took to pay for a lawyer to help him, as well as the 25,000 rupees ($400) required to bribe various police and court officials to withdraw the charges and get him released. He said that there were as many as 500 Afghans in detention at the prison on any given day.

In June, a UNHCR spokesperson said that many Afghan refugees were "living in a state of fear," and noted that "the police have been given *carte blanche* to arrest and detain people randomly in the street."[100]

Abuse Leads to Death

On June 15, Pakistani police stopped a group of four Afghans-two men and two women-who had just arrived from Peshawar by bus. They ushered the men and women into separate cars and asked the men, Salahoddin Samadi and his brother, for the equivalent of $150 to set them free. When Samadi said that they did not have the money, one of the police officers reportedly hit him over the head with a bottle.[101] Samadi was taken to a hospital, where he went into a coma. He died eleven days later.

According to an IRIN news report, a senior official in the Islamabad police department said that the police officer involved had been dismissed, that charges had been brought against him, and that a full investigation of the incident would be launched.[102] However, a refugee who was closely involved in helping the family press charges against the police officer who beat Samadi told USCR that the policeman in question had been set free and was once again on active duty.

On June 27, the day after Samadi's death, some 200 Afghan refugees demonstrated outside of the hospital and later at the offices of one of the UN agencies in Islamabad. In a petition addressed to the UN Human Rights Office in Islamabad, the group said, "We, all the Afghans, in protest of the continuous



inhuman treatment of Afghan refugees by the Pakistan police, request your office, as well as all the other concerned agencies, to join us in putting an end to the harassment and torture of Afghan refugees."

VIII. NEW ARRIVALS CONDEMNED TO "LIVING GRAVEYARD"

The influx that began in September 2000 was to be the largest in several years. It was prompted in large part by a new Taliban offensive in northeastern Afghanistan that resulted in the Taliban's capture of Taloqan, the United Front's headquarters and the last major Afghan city outside of Taliban control.

Although urban refugees suffered as a result of Pakistan's harsher attitude toward refugees, the Afghans who sought refuge in Pakistan between September 2000 and early 2001 bore the brunt of Pakistan's escalating intolerance.

Several factors resulted in Pakistan's responding differently to this new group than to the many others who had come before. First and foremost, a toughened attitude had already begun to take hold. Secondly, by late summer, it had become clear that the international community's attempt to get aid to drought-affected Afghans in their home areas so that they would not have to migrate in search of food was meeting with only limited success. With winter fast approaching, people planning to migrate in search of food would likely begin to move by October. The Pakistani authorities undoubtedly worried that hundreds of thousands of drought-affected Afghans might follow the Afghans who began to arrive in September fleeing the fighting near Taloqan.

A third factor that may have inadvertently influenced Pakistan's response to the new arrivals was UN High Commissioner for Refugees Sadako Ogata's visit to the region in September 2000. During her visit, Ogata, concerned about lack of donor funding for Afghan refugees in Pakistan and Iran, said that Afghan refugees should be encouraged to repatriate and that donors should fund programs of assistance to returnees in Afghanistan.[103] To the Pakistani authorities, that may have sounded like an endorsement of their assertion that Afghanistan was now safe, and probably reinforced their view that Pakistan no longer needed to regard Afghans as refugees.

During September and October, tens of thousands of Afghans fled to Pakistan and sought UNHCR assistance. While many or most fled fighting and abuses against civilians by the warring parties, some (particularly those who entered Baluchistan rather than NWFP) left their homes primarily because of the effects of the drought. Most of those who fled fighting were members of ethnic minorities — mainly Tajiks from Takhar and Parwan provinces, and Uzbeks and Turkomans from northern Afghanistan—while many of the drought victims were Pashtuns from areas north of Kabul or from the southern provinces.[104]

Many of the new arrivals made their way to Jalozai, 9 miles (15 km) from Peshawar. Jalozai had once been a refugee camp that housed ethnic minority refugees. Since there were no longer any facilities at Jalozai, UNHCR registered the Afghans arriving at Jalozai and quickly moved them to New Shamshatoo, a camp a few kilometers further from Peshawar. UNHCR had re-opened the old Shamshatoo camp (calling it New Shamshatoo) in early 2000 to house refugees from the overcrowded Akora Khattak camp, 30 miles (50 km) east of Peshawar, where the agency had placed many new arrivals since 1995.

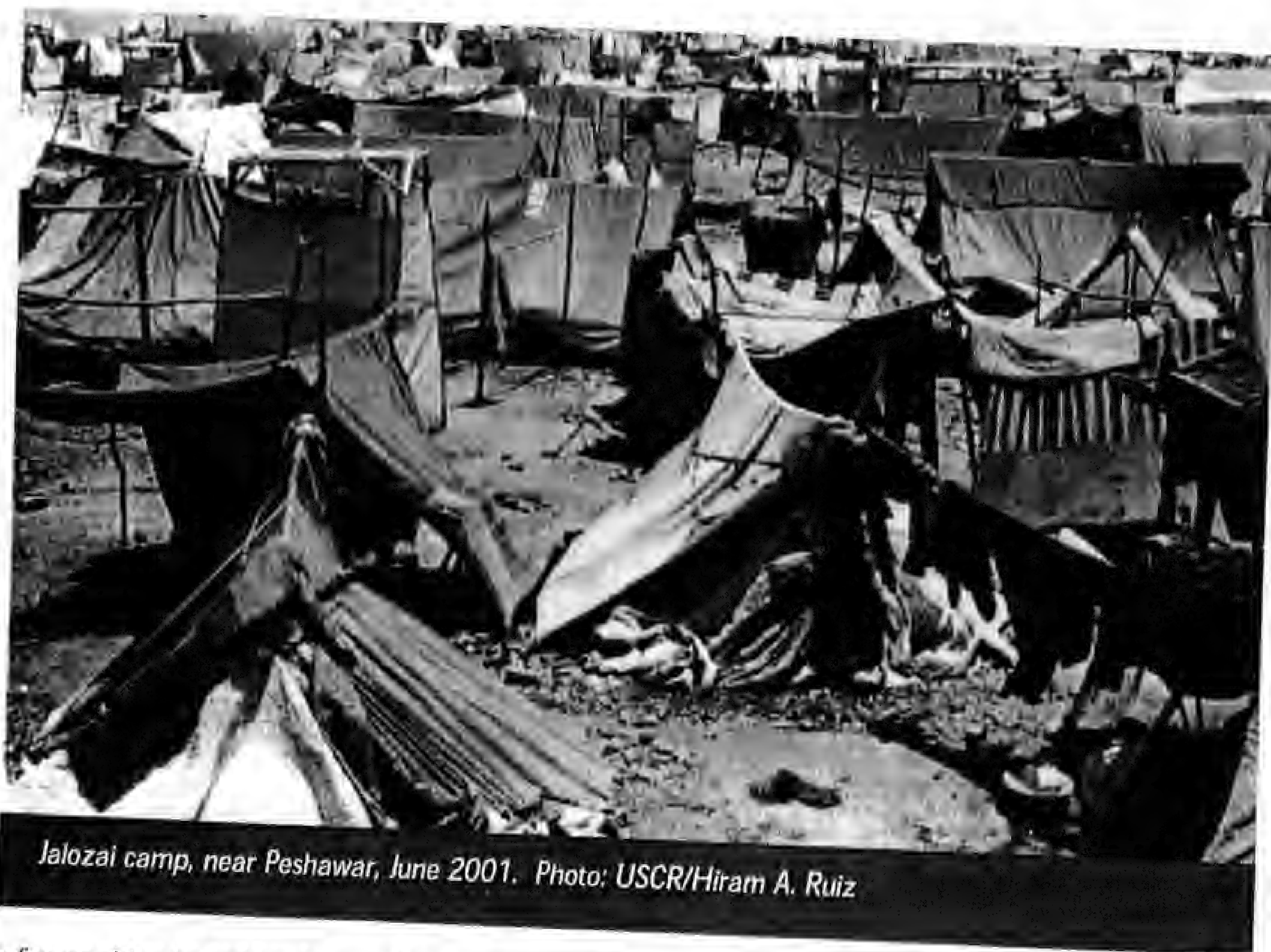
According to UNHCR, the agency was able to set up New Shamshatoo, despite being in the midst of a major financial crisis, by encouraging NGOs not only to implement UNHCR-funded projects and services but also to provide financial support for the operation.

By October, refugees were arriving more rapidly than UNHCR was able to register them and move them to New Shamshatoo. On October 27, UNHCR announced that in the previous two days, it had moved another 1,200 refugees from Jalozai to New Shamshatoo, but that 5,000 more refugees had arrived during the week.[105] As the number of new arrivals grew, funding problems limited UNHCR's ability to transfer new arrivals to New Shamshatoo. Thousands of refugees became stranded at Jalozai. Because UNHCR had regarded Jalozai as a transit point and had not anticipated large number of refugees remaining there, it did not have in place the facilities needed to adequately assist the refugees. Conditions at Jalozai quickly deteriorated.

Alarmed by the sight of a crowded new camp and worried that many more Afghans were on their way, on November 9, 2000, Pakistan officially closed its border to new Afghan refugees, saying it would permit entry only to Afghans with valid passports and visas.[106]

Pakistan did not, however, strictly— or consistently — enforce the border closure. Some refugees claimed that border guards at Torkham, the main checkpoint, permitted Pashtun speakers but not members of ethnic minorities to enter. Some would-be




Jalozai camp, near Peshawar, June 2001. Photo: USCR/Hiram A. Ruiz

refugees either bribed border guards or went around Torkham to avoid the guards. But many other Afghans gathered on the Afghan side of the border, hoping that the border would re-open.

Several days after the closure, local guards, worried about the large number of Afghans massing on the other side, briefly re-opened the border. Hundreds of Afghans stampeded across the border, crushing an elderly man and a child.[107]

The influx continued despite the official border closing, and by late November there were once again some 16,000 to 18,000 new arrivals at Jalozai, more than 30,000 at New Shamshatoo, some 18,000 in Baluchistan, and thousands more Akora Khattak. Altogether, UNHCR estimated that more than 170,000 Afghans entered Pakistan during 2000.

In January 2001, UNHCR resumed the transfer of new arrivals from Jalozai to New Shamshatoo. By the third week of the month, it had transferred virtually all of the 18,000 Afghans at Jalozai to New Shamshatoo.[108] According to UNHCR's Utkan, the agency had to overcome a "very restrictive policy environment" to achieve the transfers. Utkan added, "Sadly, the numerous obstacles we had to overcome during this period received little attention."[109]

Within days of UNHCR's completing the transfer, however, there were another 12,000 Afghan families (some 50,000 to 60,000 people) at Jalozai. Some were new arrivals, while many others had probably arrived between September and December and had been staying with friends and relatives or renting rooms in Peshawar. However, the speed and volume of the influx into Jalozai suggested that some or many were not new arrivals, but rather needy refugees from the long-established refugee camps or from Peshawar.[110]

UNHCR began a verification process to identify actual new arrivals in the group in order to move them to New Shamshatoo, but the government of Pakistan, still concerned about a larger influx, told UNHCR to halt the verification process. UNHCR, WFP, and international NGOs believed that without a registration process, it would be impossible to distribute aid without causing riots. A UNHCR spokesperson said, "Even if access were permitted, aid workers say overcrowded conditions there make it impossible for humanitarian assistance to be rendered.... It is virtually impossible to provide assistance without provoking a possibly life-threatening stampede."[111] Consequently, camp residents went without food or other





Food distribution at New Shamshatoo camp, January 2001. Photo: USCR/Hiram A. Ruiz

relief items.[112] With little or no sanitation, inadequate water, shelter, and medical care, and no regular food distribution, the situation in Jalozai quickly deteriorated into "one of the worst humanitarian crises in the world."[113]

According to UNHCR's Utkan, UNHCR strongly protested the government's restrictive policies regarding Jalozai camp. "Besides direct interventions by UNHCR," he said, "this office sought the support and intervention of the UN Assistant Secretary General, the European Union, and the United States.... In fact, diplomatic demarches were undertaken at a very high level, but to no avail."

According to IRIN, "A UN fact-finding mission to the makeshift Jalozai refugee camp [in January 2001]...found over 70,000 men, women, and children huddled together clinging to life, waiting in desperation for any assistance the world might lend. One Pakistani newspaper described it as a 'living graveyard.'" UNHCR's Utkan said, "There are no words to describe what you see there. It was one of the biggest shocks of my entire career."[114]

Apparently, the Pakistani authorities refused to permit verification or registration, or the transfer of the people at Jalozai to a new site, because they wanted to send a clear message to Afghans planning to go to Pakistan that they would not be welcomed or accepted as refugees.[115] Officials apparently feared that if they permitted UNHCR to register the refugees even for the purposes of aid distribution, this would encourage more Afghans to go to Pakistan. The Pakistan authorities also refused UNHCR's requests to move the refugees to a new, more appropriate site.

Conditions at Jalozai continued to deteriorate during early 2001. In February, 15 Afghan children died of exposure in Jalozai.[116] In April, the head of an international NGO said, "This situation is out of hand. We are only providing the basics in terms of water, sanitation and health.... Shelter is nonexistent and food distribution is not taking place, because there is no registration of the people by the authorities. The Pakistani government has to give the permission, and UNHCR has to register them."[117]

Although the government of Pakistan continued to assert that the new arrivals were not refugees but drought victims, there was credible evidence to the contrary. A March 22 press report by IRIN said:

A recent WFP survey in the refugee camps of Shamshatoo and Akora Khattak



near Peshawar dispelled the impression that most refugees crossing the Torkham border into Pakistan were 'economic migrants' escaping the drought. Nine out of 10 people interviewed by WFP said that conflict had been a significant factor in their decision to leave. The survey demonstrated that an overwhelming majority of people had fled insecurity and conflict, which included the destruction of homes and personal property. In the Panjshir and Shomali Plain region of northeastern Afghanistan, refugees had also left when a military blockade limited their access to relief aid.[118]

Between February and May, the UN continued to press the Pakistani authorities for a solution to the situation in Jalozai. During that time, both UN Secretary General Kofi Annan and the new UN High Commissioner for Refugees, Ruud Lubbers, visited Pakistan and pressed the Pakistani authorities on the matter. Several international NGOs sent a confidential letter to Lubbers when he visited Pakistan, urging him to press the government for a solution for the refugees at Jalozai. "We understand that UNHCR has faced obstacles in working with the government of Pakistan to solve the situation in Jalozai," the letter said, "but we cannot stress enough the need for persistence and diligence. The occupants of the camp live in unspeakable conditions..... It is imperative that...[they] be registered and moved immediately to other locations."[119]

Pakistan would not budge, however. The Pakistan authorities continued to insist that the Afghans were not refugees and the UN should therefore set up camps in Afghanistan and assist the Afghans there, not in Pakistan. The UN rejected the idea of setting up a camp inside Afghanistan for two reasons. First, because UN agencies in Afghanistan were already stretched to their limits trying to assist displaced persons and drought victims, and secondly because they feared that if there were such a camp inside Afghanistan, Pakistan might not permit any Afghans to enter, including those fleeing persecution.

By late May, more than 80 Afghans, mostly children and old people, had died at Jalozai. Already weakened by exposure, dehydration, diarrhea, and disease, they succumbed to cold in January and February, and to heat in April and May.[120] On May 24, WFP announced that the government had given it permission to begin regular food distribution at Jalozai. In agreeing to the food distribution, a government official said, "We never banned the supply of assistance, we just didn't want them to be registered through aid distribution."[121]

According to UNHCR, the food distribution was allowed to proceed after a system of "tokens" was put in place. Families in the camp were not registered or screened in any way, but given tokens that indicated only that they were staying in the camp. Families were then able to redeem their tokens for food at distribution points. The agreement to permit food distribution paved the way for other services to be provided at Jalozai. Sanitation facilities and medical services improved, but conditions remained inadequate.

In June, IRC carried out a survey of the refugees at Jalozai that reaffirmed the findings of WFP's March survey. IRC found that 67 percent of the camp's residents "fled Afghanistan for reasons related to and/or including armed conflict or persecution" and 73 percent would not return to Afghanistan even if humanitarian aid were made available to them in their home area (suggesting that lack of food was not their main or sole factor for leaving). IRC noted that in January, when the camp quickly filled up after UNHCR completed the transfer of the first group of new arrivals to New Shamshatoo, some observers (including USCR) believed that a number of those who moved into the camp were long-term refugees from other camps hoping to get whatever assistance might be made available. IRC added that by May conditions in Jalozai had become so appalling that most people in that category had probably left Jalozai. "The families interviewed were observed to be legitimate occupants of Jalozai," IRC's report said.[122]

USCR visited Jalozai in June and confirmed the poor conditions. The camp was still overcrowded, the range of food items distributed was limited, water was scarce (it had to be brought into the camp by truck), and most camp residents continued to huddle under small, makeshift tents that barely protected them from the elements. An NGO worker observed that "most minimal humanitarian standards are not met" and that the situation remained "dire."

USCR's visit to Jalozai coincided with yet another influx of new refugees. USCR was therefore able to interview refugees who had arrived at Jalozai just weeks, days, and in the case of one group, just hours before our visit. Most of the new arrivals were members of the "Arab" ethnic group from northern Afghanistan, a group that had never before been seen in refugee camps in Pakistan. Others were Pashtuns from the Shomali Plains.





Newly arrived refugee woman erecting temporary shelter at Jalozai camp, June 2001. Photo: USCR/Hiram A. Ruiz

Newly arrived ethnic Arabs whom USCR met said that they left their homes in Saripul province because of the conflict and the drought. One man said, "Yes, drought and lack of water were problems, but fighting was the main problem. There had been fighting in our area for several years, but recently the front line was right near our village." Another man added that in the past, even if they were affected by fighting, they had always had enough resources to survive and rebuild. "This time," he said, "we had nothing left."

Yet another person said that this group's main problem was that they had run out of water. Without water, they could not survive. Although several thousand people had fled from the same districts in Afghanistan, most had done so in small groups of a few related families (although one group said they numbered more than 200). They had paid truck drivers to take them most of the way to the Pakistan border and then had walked over the mountains into Pakistan to avoid the checkpoint on the main road.

Among the refugees who had been at Jalozai camp for a longer period was an ethnic Hazara family from Baglan Province. They arrived in Pakistan in late 2000 and tried to find accommodation in Peshawar city but did not have enough money to rent a room. When UNHCR transferred several thousand refugees from Jalozai to New Shamshatoo camp in December and early January, the family moved into one of the abandoned shelters that the refugees left behind at Jalozai camp.

The head of the family said that what drove them to leave was that they could no longer afford to pay the Taliban's "recruitment tax." For some time, the Taliban had demanded that each village in their region either provide five fighters to the Taliban, or provide sufficient funds for the Taliban to be able to hire five fighters in their stead. Because of the drought, the family no longer had the resources to pay this recruitment tax. Since the head of the family did not want to become a Taliban fighter and could not leave his elderly mother, wife, and small children alone, he sold what few belongings he had and left for Pakistan.

Most of the refugees whom USCR met at Jalozai said that they could not return safely to Afghanistan because of ongoing conflict in their home areas or because they feared persecution. However, USCR met with one group of several men, mostly ethnic Pashtuns, who said that they were ready to



return to Afghanistan if they could get assistance there. A Pashtun man from Parwan province who had been at Jalozai for six months said, "We are feeling hopeless and are thinking of returning home. We would rather return than stay here and lose our dignity in this situation." He said they had fled to Pakistan because of fighting and because of a lack of water in their area, which prevented them from farming. He added, "Coming here was the biggest mistake of our lives. We thought that as we are all Muslims, we would get help here."

Members of this group appeared to be sympathetic to the Taliban. One man said since arriving in Jalozai, "only the government of Pakistan and the Taliban have helped us; no one else has come to help." [In fact, the government of Pakistan had not provided any assistance to the refugees at Jalozai.] Another Pashtun man said, "The Taliban are in control of my home area and there is no fighting there, but we are afraid that the opposition forces might come back." He too said his family would return if they were assisted in returning, received temporary food aid, and had enough water to be able to farm.

An ethnic Tajik refugee from Parwan province said that the Taliban accused him of sympathizing with one of the opposition parties and jailed him for 18 months. He said that he would like to return to Afghanistan because conditions at Jalozai are so bad, but that he cannot because of security concerns. Asked why he thought the conditions at Jalozai were so bad, he said, "What we hear is that the government of Pakistan believes we are a burden and that Pakistan has many economic problems and can't care for the refugees. That is what people in the camp say."

IX. LONG-TERM REFUGEES AT NASIR BAGH TOLD TO EVACUATE CAMP

Another large group that has felt the effects of the Pakistani government's hardened attitude toward Afghans is the population of Nasir Bagh refugee camp, on the outskirts of Peshawar. Nasir Bagh is home to more than 70,000 Afghan refugees. A majority, some 50,000, are ethnic Pashtuns who fled to Pakistan in the late 1970s and 1980s. The remainder are mostly members of minority ethnic groups, as well as professionals and other educated Afghans from Kabul and other cities who arrived in Pakistan in the early 1990s.[123]

The Pakistani authorities have wanted the camp's refugees to vacate the site for several years. According to the Foreign Ministry's Shaukat, "The camp is on land that belongs to a cooperative housing society. People paid for that land and want to be able to construct their houses on it. But the government has been unable to move the refugees."[124] It was not until early 2001, however, that the government began to take steps to dislodge the refugees from the camp.

In April, the government sent notices to all of the camp's residents telling them that they must move out by June 30. However, the government did not act on the evacuation order in late June because it was in the midst of negotiations with UNHCR to screen the camp's residents to determine if they still qualified as refugees.

When USCR visited Nasir Bagh in June, the situation was tense. Most of the refugees did not want to return to Afghanistan, either because they feared for their safety or because of the drought and the ruined economy. Few wanted to move to another camp. Most of Nasir Bagh's residents had jobs or businesses in Peshawar, and if they moved to a camp outside the city would be unable to keep their jobs. However, they didn't have the resources to pay for housing in the city, where rents had recently risen in anticipation of an increase in demand for housing by people needing to move out of Nasir Bagh.

According to the camp's leader, during the 1980s the government treated Nasir Bagh as a "showcase" camp. "When we were fighting the Soviets, President Carter came here, Vice-President Bush came here. The refugees were called 'heroes of the world.' But those times are gone now. Now the government just wants us to leave. It wants us to leave behind everything that we have built."

He said that 80 percent of the camp's residents did not want to return to Afghanistan because it is not safe. The refugees would be willing to leave the camp, he said, but only to go to another site in Peshawar, not to a camp outside the city. Many refugees would refuse to leave, he added, even if the government came with bulldozers to knock down their houses. Other refugees whom USCR met at Nasir Bagh echoed the camp leader's sentiments, although other reports indicated that some Nasir Bagh resident had begun to move to Peshawar rather than face eviction.

As the June 30 deadline for refugees to leave Nasir Bagh approached and rumors spread that the government would begin forced evictions, UNHCR urged the government to postpone any action, given that negotiations regarding the screening process, which the government wanted to apply to Nasir Bagh as well as Jalozai, were underway.[125] June 30 passed without incident.




Afghan refugee. Photo: USCR/Hiram A. Ruiz

Shortly afterwards, UNHCR resumed its annual voluntary repatriation program for refugees wishing to return to Afghanistan from Pakistan. The program is usually suspended during the winter months and resumes in March, but its resumption in 2001 was delayed by various factors. The program offers refugees in Pakistan wanting to repatriate voluntarily an assistance package that includes funds to help them arrange their transportation to Afghanistan and to see them through their first weeks there. In some areas of return, UNHCR also provides rehabilitation assistance to communities to which groups of refugees return.

The Pakistani authorities, who had been critical of UNHCR over the delayed resumption of the voluntary repatriation program, took advantage of the program's start to press refugees at Nasir Bagh to leave. To encourage Nasir Bagh residents to choose voluntary repatriation, authorities emphasized that those who stayed and participated in the screening program and were screened out would be deported without any assistance.

During the first three weeks of July, some 2,000 camp residents repatriated through the voluntary repatriation program. Reportedly, the local authorities not only encouraged, but also pressured refugees—who at the time had little information about the screening process—to return, despite many refugees' concerns about their security and ability to survive in Afghanistan. A July 25 report by IRIN said, "Discussion with residents revealed that many families did not know basic facts about the closing of the camp, including that a screening to determine refugee status would take place."[126]

IRIN cited an interview with a Nasir Bagh refugee who was preparing to return to Afghanistan even though she worried that her children would "starve to death" there. According to IRIN, the refugee and her blind husband "said they had been told by the police that they had to go, and they were ready to leave on the next repatriation truck because they were scared about what might happen if they stayed any longer." Another refugee told IRIN, "Every day the police knock on our doors and tell us to get out. When we ask them where we should go, they say they don't care.... We hate the tone of voice the police use with us; they might as well physically abuse us."[127]

On July 23, IRC released the findings of a survey it had carried out in Nasir Bagh. IRC found that many camp residents were uninformed about the planned screening process, and urged UNHCR to "carefully monitor its current voluntary repatriation program." IRC also called on UNHCR and the government to "conduct a more extensive information campaign within Nasir Bagh to inform families of their operations and the [screening] process they will undergo in the coming months."

USCR wrote to the Pakistani government on July 27 expressing concern over reports that refugees at Nasir Bagh were being pressured to repatriate. USCR urged the government to "ensure that all Nasir Bagh residents are fully informed about the impending screening process and its implications" and to "investigate reports that local authorities may be pressuring Nasir Bagh residents who are not fully informed about the screening and its implications to return to Afghanistan before the screening." USCR



added, "Should an investigation conclude that the local authorities are exerting such pressure on Nasir Bagh's frightened and confused residents, we appeal to your government to ensure that such actions cease immediately. "

The Geneva-based Center on Housing Rights and Evictions also criticized Pakistan's efforts to pressure Nasir Bagh residents to leave. The organization's legal officer told IRIN that Pakistan had "intentionally created an environment designed to result in the de facto expulsion of Afghan refugees."[128]

In response to these and other expressions of concern, UNHCR temporarily suspended the voluntary repatriation program. The agency decided to wait until the pre-screening stage of the screening program before continuing to offer Nasir Bagh refugees voluntary repatriation. (In the pre-screening process interviews, refugees would be asked whether they wished to repatriate voluntarily prior to being screened, or proceed with the screening process).

X. THE "SCREENING" PROGRAM

The issue of screening for Afghans already in Pakistan first arose in early 2000. In December 1999, the authorities in Quetta had forcibly returned a number of Hazaras who had recently entered Baluchistan.[129] When UNHCR met with government officials to protest the *refoulement*, the Pakistani authorities said that the people deported were not refugees. Officials said that since the Taliban was now in control of most of Afghanistan and since most of the country was free of conflict, Pakistan no longer considered newly arriving Afghans to be *prima facie* refugees.

Concerned that Pakistan would deport other Afghans already in the country, UNHCR proposed a screening process for individuals under threat of deportation, to ensure that persons still at risk in Afghanistan would not be forcibly returned. These discussions continued on and off until November 2000, when the Pakistani authorities closed the border with Afghanistan and rejected the proposal to screen individuals at risk of deportation.[130]

The concept of a refugee screening process did not die, however. It resurfaced in January 2001, after UNHCR completed the transfer of the new arrivals at Jalozai to Shamshatoo and Jalozai camp quickly filled up with more people. Pakistani authorities would not permit UNHCR to continue registering the new arrivals.[131] UNHCR, seeking to break the impasse over registration so that the refugees could be assisted, and concerned that Pakistan would not agree that any new arrivals were genuine refugees, again proposed the idea of a screening process—for the new arrivals at Jalozai only—in order to distinguish those who might be at risk if returned from those not in need of protection.

UNHCR proposed that the government permit those who were screened in to remain in Pakistan and be transferred to a more suitable location, and agreed not to object to the deportation of those who were screened out (though it also proposed that screened-out families that were particularly vulnerable not be deported immediately). Unlike the government, which viewed most of the new arrivals as drought victims, UNHCR believed that most of the new arrivals had fled fighting and would therefore be judged as in need of protection.)

The negotiations over the proposed screening process continued from January through July 2001. Both UN Secretary General Annan and High Commissioner Lubbers tried to convince the Pakistani authorities to agree to it. The latter remained stubbornly opposed, asking the UN to open camps inside Afghanistan instead. The government finally agreed to the screening in late July, but turned the screening program to its own ends. The government insisted that the screening should not apply only to the new arrivals at Jalozai, but also to those at New Shamshatoo, as well as to the 70,000 long-term residents of Nasir Bagh camp.[132]

UNHCR and the government ultimately signed the agreement on August 2, 2001. It called for screening to begin immediately at Nasir Bagh and Jalozai, and to be undertaken in New Shamshatoo after it was completed in the first two camps. UNHCR said that the agreement represented a "fair compromise" that included a number of positive elements. UNHCR's Utkan told USCR, "It enshrines the principle of joint screening [by the government and UNHCR], uses the extended refugee definition [fleeing fighting, versus the fear of persecution standard in the 1951 Convention] as a criteria for status determination, and recognizes the principle of phased return for 'screened-out' vulnerable cases [for example, female heads of household who are screened out will not be immediately deported but temporarily assisted]."[133]

In the agreement, the government consented to limit deportation to screened-out Afghans from Jalozai or Nasir Bagh. The agreement contained no commitment from the government to refrain from



deporting Afghans from urban centers or other camps.

Prior to the signing of the agreement, the government of Pakistan's Commission on Afghan Refugees (CAR) and UNHCR collaborated on the production of an Operations Plan—a detailed working document intended to be used as the basis for implementation of all phases of the proposed screening process.

The plan called for a mass information campaign in both Nasir Bagh and Jalozai camps to disseminate details of the screening process, followed by a 20-day pre-screening procedure. The pre-screening phase was to be linked with the voluntary repatriation component of the program and serve to ensure that the option of voluntary repatriation remained open until a final determination on each case was made. The second phase of the program entailed in-depth interviews to assess which cases would be screened in, and which would be screened out. The basic criteria used in this second phase is the UNHCR definition of "refugee,"[134] expanded to include persons unwilling or unable to return home because of "a threat to life or security as a result of armed conflict and other forms of widespread violence which seriously disturb the public order."[135] Cases ultimately screened in would be granted temporary protected status and transferred to another facility within Pakistan. Cases that were jointly screened out by CAR and UNHCR were, according to the agreement, subject to immediate return to Pakistan. Return would also be the preferred resolution for vulnerable cases, but it was understood that such returns could be implemented in a phased process.

Pre-screening was intended both as a mechanism to gather basic bio-data information on approximately 21,500 families (12,500 in Jalozai and 9,000 in Nasir Bagh) and to ascertain families' interest—or lack thereof—in voluntary repatriation. No one would be denied access to the pre-screening procedure and no final decisions would be made at this first stage.

Families not interested in voluntary repatriation at the pre-screening stage were to be referred to a UNHCR Repatriation Unit for a more extended interview on voluntary repatriation. According to a UNHCR official, "during these interviews, which can last for hours and are combined with house visits, the voluntary nature of their request is established and their eligibility for repatriating under the UNHCR voluntary repatriation program is determined." Families still opting to return to Afghanistan would be assisted in their resettlement by a UNHCR package consisting of approximately US $100 in cash and 150 kg of wheat flour.

Families not expressing a desire for voluntary repatriation during the pre-screening phase would be referred to the Screening Unit to undergo additional interviews. These interviews would confer a status of "screened in" or "screened out." Families screened in at the first instance would be granted temporary protection and relocated to a government-approved site for Afghan refugees. Cases considered unresolved at the first instance would be deemed screened-in pending further review. Cases that were screened out at this stage would be entitled to appeal, although the August 2 agreement stipulated that UNHCR "would not object to the immediate return of those screened out jointly by UNHCR and the government." UNHCR says that as a result of its information campaign, people were well informed and knew that they could opt for voluntary repatriation at any stage of the screening process. People could even undergo screening, be rejected at the first stage, and choose voluntary repatriation before their case went to appeal.[136]

The screening interviews themselves were conducted by teams of two persons, one from CAR and one from UNHCR. The Operation Plan called for 30 teams initially, expanding quickly to 55 teams, but the total number of teams fluctuated somewhat due to the failure of some recruits to pass training exams, attrition, and other logistical reasons. Screening team members who had already been on the staff of either CAR or UNHCR underwent an extensive four-week training program prior to the signing of the August 2 agreement, while new recruits participated in a four-day "crash course."

While UNHCR reported that the mass information and pre-screening phases of the process proceeded smoothly, some prominent members of the relief community expressed wide-ranging concerns.[137] John Sifton, advocacy and protection coordinator for IRC, found "the combination of Nasir Bagh and Jalozai for screening strange, because Nasir Bagh and Jalozai host quite different populations." He added that the kind of partial screening being undertaken (the pre-screening) made people feel resentful and harassed. Nancy Dupree, head of the resource and information centre of the Agency Coordinating Body for Afghan Relief, raised serious questions concerning the methodology behind the screening process, noting that teams "are doing it in such a hurry that...screeners are not even properly trained. They hold too much power, and most of them have scant knowledge of Afghanistan."



• The U.S. government should also recognize that large numbers of civilians are going to flee in search of safety, and should include in its planning provisions for protecting and assisting Afghan refugees.

• The United States should ask Pakistan to re-open not seal its border with Afghanistan. Closing the border will not keep terrorists out. It will, however, prevent families with children from reaching safety.

• Pakistan, Iran, and other countries in the region should provide temporary safe haven for fleeing Afghans. Offering to assist fleeing Afghans inside Afghanistan rather than in neighboring countries is not an answer. They need more than assistance; they need protection.

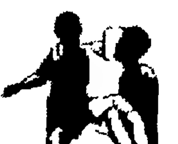
• Pakistan should temporarily suspend the deportation of Afghans who do not qualify as refugees in the current screening process at camps in Pakistan. The United Nations High Commissioner for Refugees (UNHCR) should suspend the ongoing voluntary repatriation program for Afghan refugees until the danger of external military strikes has passed.

• The UN Refugee Convention permits both the confinement of refugees for reasons of national security, as well as the exclusion of refugee protection for individuals found to have committed crimes against humanity, war crimes, and serious nonpolitical crimes. For Pakistan (as well as Iran and Tajikistan) to keep its border open to refugees is not incompatible with taking measures to prevent that influx from posing a threat to its national security. To succeed both in providing protection for refugees and protecting themselves, however, Pakistan and other countries facing an influx of Afghan refugees need the full support of the international community.

• The United States and the international community should provide funds to protect and assist Afghans who flee to neighboring countries. Pakistan and Iran already face significant financial burdens as a result of hosting millions of Afghan refugees from conflicts past and present, and need international support and solidarity for the sake of the refugees, for the sake of their own peoples, and for the sake of regional peace and stability.

This report was written by U.S. Committee for Refugees Senior Policy Analyst Hiram A. Ruiz. USCR Director Bill Frelick and policy analyst Margaret Emery edited and contributed to the writing of this report, which was produced by Koula Papanicolas and Eunice Kim of the USCR staff. USCR intern Nancy Vogt also contributed to the report. This report is based in part on USCR site visits to Pakistan and Afghanistan in January and June 2001.

ISBN 0-936548-11-8



Pre-screening

The pre-screening process began on August 6. Although it was originally anticipated that the procedure would take 21 days, the process moved along much more quickly. The pre-screening at Jalozai, which was preceded by a massive information campaign as called for in the agreement, took only 12 days.

The information campaign included press releases to the national and local media; meetings with camp elders, block representatives, heads of household, and women; public announcements at mosques; and distribution of information leaflets produced in Pashtu, Dari, Urdu, and English.[138]

Information sheets distributed in advance laid out detailed instructions as to how the pre-screening would be implemented. Each head of household was required to go to the screening site in person on the day allocated for his or her block, or else be forced to wait until after residents of all the other blocks had been screened. Heads of household were told to bring recent photos, as well as a prepared lists with the names and particulars of all their family. In Jalozai, since token-holders would be screened first, heads of household had to be sure to remember to bring their tokens, or else they would be compelled to wait until all others had been screened.



Teacher and students at school in Nasir Bagh camp, June 2001. Photo: USCR/Hiram A. Ruiz

UNHCR was satisfied with the effort, noting that refugees were successfully made aware that they could choose voluntary repatriation. Residents of Nasir Bagh and Jalozai fully cooperated in the screening, most were prepared with the appropriate photographs and other necessary information, and there were no reports of security problems during the first week of the process.[139] Also, UNHCR noted favorably that female heads of household were among the participants.

At the time of the pre-screening interviews themselves, heads of households were asked basic questions concerning family composition, education levels, and last place of residence in Afghanistan, as well as the last occupations of the head of household and his/her spouse. Only after all of these basic questions were asked, and the answers recorded, was a question posed about the desire of the family to voluntarily repatriate.

According to two weekly progress reports, all Jalozai residents showed up to be pre-screened as scheduled, while at Nasir Bagh roughly 25 percent did not show up at the screening site.[140]

More residents of Nasir Bagh expressed an interest in voluntary repatriation than did residents of Jalozai. For example, from August 6 to 11, 20 percent of 1,829 families at Nasir Bagh requested voluntarily repatriation, while only 4.8 percent of families at Jalozai requested voluntary repatriation.[141]

UNHCR cited a number of reasons why so many Nasir Bagh residents chose voluntary repatriation. A number of refugee elders had reached an agreement with the Taliban in which the Taliban reportedly agreed to grant land to all landless people represented by the elders and promised not to prosecute any returnees for their past actions or behavior. Also, UNHCR said that many Nasir Bagh residents travel to Afghanistan frequently and are fairly confident that they will be able to survive there. Finally, since Nasir Bagh residents who are screened in will have to move to another camp away from Peshawar, UNHCR believes that many chose to "start rebuilding their life in Afghanistan rather than in another camp in Pakistan, where their chances to find employment (which most Nasir Bagh residents had in Peshawar) are rather dim."[142]



Conclusion

The horrific terrorist attacks on New York and Washington on September 11, 2001, which occurred shortly before the release of this paper, have changed the situation on the ground in Afghanistan, Pakistan, and elsewhere in the region. Anticipated U.S. military action has caused tens—perhaps hundreds—of thousands of Afghans, particularly residents of Kandahar and Kabul, to flee their homes.

The recently displaced Afghans join some 4.5 million Afghans who were refugees or internally displaced before September 11 (3.6 million refugees and 900,000 internally displaced). Their displacement adds to what was already a catastrophic humanitarian crisis in Afghanistan brought on by more than two decades of continuous conflict and a devastating drought. The withdrawal from Afghanistan of all expatriate personnel of UN agencies and international NGOs is an ominous sign of future suffering. If the U.S. does proceed with military strikes in Afghanistan, many of those currently displaced within Afghanistan will likely attempt to flee to neighboring countries.

They may not be allowed in, much less welcomed. Already, Pakistan, Iran, and Tajikistan have closed their borders. Pakistan did so at the instigation of the United States, which made the request for security reasons. Yet, sealing the border is unlikely to deter suspected terrorists from entering Pakistan; it will only trap thousands of men, women, and children in a place of danger. USCR believes that Pakistan's border (and those of other countries neighboring Afghanistan) should remain open to Afghans fleeing for their lives.

Trying to keep fleeing Afghans on the Afghan side of the border and sending assistance to them there is not the answer. Experience has shown that such so-called safe havens, in fact, trap people in places of danger without adequate protection. Refugees must be allowed to enter neighboring countries and be protected and assisted there.

This is a great deal to ask of countries like Pakistan and Iran, which already host very large Afghan refugee populations and which, as this paper has detailed, no longer want them. If they agree to receive additional refugees, they will rightly expect the international community to cover the costs associated with them.

While there is new urgency to the issues of whether Pakistan, Iran and other countries allow fleeing Afghans to enter and who will pay for assisting them, other issues remain relating to how Pakistan in particular responds to Afghan refugees and asylum seekers. The following recommendations address both the unfolding crisis and the many problems that Afghan refugees already faced in Pakistan.

Until the conflict in Afghanistan ends and human rights and stability are restored, Afghans will continue to seek protection and assistance in neighboring countries. Pakistan, which has helped fuel the conflict in Afghanistan by arming and financing the Taliban should recognize that to stop the flow of refugees, it must direct its efforts in Afghanistan towards bringing about peace and ending human rights abuses. It is hardly surprising and not altogether unreasonable, however, that Pakistan and Iran—despite their roles in exacerbating the conflict—want the flow of new Afghan refugees and the prolonged stay of Afghan refugees already in their countries to end. While some of the claims that Pakistan makes about the negative impact that Afghan refugees have had on its economy and society are exaggerated, they are not groundless. Pakistan's assertion—prior to September 11, 2001—that many Afghan refugees living in Pakistan no longer had cause to fear persecution was valid. But as long as conflict and natural disaster continue to devastate Afghanistan, solutions will be difficult to achieve.

In the interim, it is important that Pakistan and other countries permit entry to Afghan asylum seekers and uphold refugees' basic rights. It is also essential that the international community adequately assist the refugees, and, as soon as larger-scale repatriation is feasible, provide the funds to make that possible.



Recommendations

In the immediate aftermath of the terrorist attacks in New York and Washington, it is difficult to predict how the geopolitics of the region will be altered in the weeks, months, or even years ahead.

If large-scale war erupts inside Afghanistan, refugees should be permitted to cross into Pakistan and other neighboring countries, at least on a temporary basis. In admitting such refugees, the UN Refugee Convention allows states to enact provisional measures "in time of war and other grave and exceptional circumstances" (Article 9) to protect their own national security. Such measures could include confinement of refugees (Article 31.2), as well as exclusion of refugee protection for persons found to have committed crimes against peace, war crimes, and crimes against humanity (Article 1.F).

If the Taliban remains in power when the emerging crisis ends, many Afghan refugees currently in Pakistan will be unable to return home. The international community should help UNHCR and Pakistan achieve long-term solutions for these refugees. For most, this means local integration in Pakistan (and other countries in the immediate region), which would require transforming the refugees into contributing members of Pakistan's society and economy, and ensuring that they are not a continuing drain on the country. For the relatively few who will neither be able to return to Afghanistan nor integrate into other countries in the region, this means resettlement in third countries, including the United States.

Afghan refugees who are not at risk of persecution by the Taliban should begin repatriating to Afghanistan once this new crisis subsides and it is safe to do so. Neither Pakistan nor the international community can look after them indefinitely. If ongoing conflict prevents refugees from returning to their areas of origin, the Taliban may need to provide them land in other, safer areas of Afghanistan, where they can live in dignity without fear for their personal safety. The international community will need to provide substantial assistance to enable what could be a very large number of returnees to establish themselves in these new areas.

If the Taliban's actions continue to cause refugees to flee, Pakistan should permit refugees to enter, screen them (in conjunction with UNHCR) to determine whether they need protection, and, if they are found to be in danger, grant them refuge—and ensure that they and all other Afghan refugees in Pakistan are not harassed, detained without cause, or deported. The international community should provide adequate assistance to ensure that refugees do not unfairly burden Pakistan.

USCR makes the following recommendations:

1. The United States should calibrate any military action it takes against the Taliban to avoid harm to Afghan civilians, who bear no responsibility for the atrocities that have been committed in New York and Washington. It should make every effort to safeguard the lives of innocent civilians.

2. The U.S. government should also recognize that large numbers of civilians are going to flee in search of safety. U.S. officials should include provisions in their planning for protecting and assisting Afghan refugees.

3. The United States should ask Pakistan to re-open—not seal—its border with Afghanistan. Closing the border will not keep terrorists out. It will, however, prevent families with children from reaching safety.

4. Pakistan should provide temporary refuge to Afghans fleeing anticipated U.S.-led military action. The Taliban should not prevent civilians from fleeing.

5. Pakistan (as well as Iran and other countries neighboring Afghanistan) should set up temporary camps inside their borders for the new refugee population.

6. Camps should not be set up inside



Afghanistan to temporarily house fleeing Afghans. Since military strikes could occur anywhere, all of Afghanistan should be considered a potential danger zone. Offering to assist fleeing Afghans inside their country rather than in neighboring countries is not an option. These Afghans need more than assistance; they need protection.

7. The United States and the international community should provide funds to protect and assist Afghans who flee to neighboring countries. Pakistan and Iran already face significant financial burdens as a result of hosting millions of Afghan refugees from conflicts past and present, and need international support and solidarity for the sake of the refugees, for the sake of their own peoples, and for the sake of regional peace and stability.

8. Pakistan should temporarily suspend the deportation of Afghans who do not qualify as refugees in the current screening process at camps in Pakistan. UNHCR should suspend the ongoing voluntary repatriation program for Afghan refugees until the danger of U.S.-led military strikes has passed.

9. When the crisis associated with the anticipated U.S.-led military action ends, those who fled to escape the strikes but who do not fear persecution in Afghanistan should repatriate. Any who may face persecution should make their fears known to the UN and Pakistani authorities and request asylum.

10. The United States, the UN, others in the international community, and the Taliban—or any succeeding authority in Afghanistan—should facilitate and assist the reintegration of those who return home.

FREQUENTLY USED ACRONYMS:

USCR	U.S. Committee for Refugees
UNHCR	UN High Commissioner for Refugees
WFP	World Food Program (UN)
OCHA	Office of the Coordinator for Humanitarian Affairs (UN)
IRIN	Integrated Regional Information Network (OCHA-UN)
NGO	Nongovernmental organization
IRC	International Rescue Committee
NWFP	North-West Frontier Province



Endnotes

[1] Integrated Regional Information Network (IRIN), UN Office for the Coordination of Humanitarian Affairs (UNOCHA), Islamabad, January 26, 2001.

[2] USCR interview with UNHCR representative Hasim Utkan, Islamabad, June 2001.

[3] USCR interviews with Mr. Muhammad Haroon Shaukat, Director General, Ministry of Foreign Affairs, and Maj. (R) Sahibzada Mohammad Khalid, Joint Secretary (Refugees), Ministry of States and Frontier Regions (SAFRON).

[4] Human Rights Watch (HRW), "Crisis of Impunity: The Role of Pakistan, Russia, and Iran in Fueling the Civil War," New York, July 2001, p.3.

[5]NN Afghanistan-Complex Emergency, U.S. Office of Foreign Disaster Assistance, Situation Report #1, Fiscal Year 2001, September 6, 2001.

[6] Statistics compiled by UNOCHA, Internal Displacement in Afghanistan, June 2001.

[7] World Refugee Survey 1981, U.S. Committee for Refugees (USCR), Washington.

[8] Robert D. Kaplan, " The Taliban," The Atlantic, September 2000.

[9]NN Hiram Ruiz, Left Out in the Cold: The Perilous Homecoming of Afghan Refugees, U.S. Committee for Refugees, Washington, DC, 1992, p.4.

[10] *World Refugee Survey* 1986, USCR, Washington.

[11] According to the UN High Commissioner for Refugees' (UNHCR), The State of the World's Refugees 2000, UNHCR provided more than $1 billion dollars in assistance to Afghan refugees in Pakistan between 1979 and 1997.

[12] UNHCR, The State of the World's Refugees 2000, Oxford University Press, Oxford, 2000, p.117.

[13] British Agencies Afghanistan Group (BAAG), "Afghanistan Briefing Pack," January 2001, p.5.

[14] BAAG, "Afghanistan Briefing Pack," p. 3; HRW, "Crisis of Impunity," p. 14.

[15] Robert D. Kaplan, "The Taliban."

[16] HRW, "Crisis of Impunity," p. 15.

[17] Robert D. Kaplan, "The Taliban."

[18] HRW, "Crisis of Impunity," p. 15.

[19] World Refugee Survey 1996, USCR, Washington.

[20] World Refugee Survey 1997, USCR, Washington.

[21] World Refugee Survey 1999, USCR, Washington.

[22] World Refugee Survey 2000, USCR, Washington.

[23] Ibid.

[24] Ibid.

[25] World Refugee Survey 2001, USCR, Washington.

[26] Letter from H.E. Abdul Satter, Foreign Minister of Pakistan, to UN General Assembly, December 19, 2000.

[27] UNOCHA, data for map: "Internal Displacement in Afghanistan - August 2001."

[28] Barnett Rubin et al, "Afghanistan: Reconstruction and Peacemaking in a Regional Framework," p.9.

[29] Statement by Dr. Kamal Hossain, Special Rapporteur of the Commission on Human Rights on the Situation of Human Rights in Afghanistan, at the 55th Session of the General Assembly.

[30] Barnett Rubin et al, p.11.

[31] "Afghanistan- Complex Emergency," U.S. Office of Foreign Disaster Assistance, Situation Report # 1, Fiscal Year 2001, September 6, 2001.

[32] BAAG, "Afghanistan: Monthly Review," June, 2001, p. 5.

[33] Ibid., p.5

[34] U.S. Department of State, Office of the Coordinator for Counterterrorism, "Patterns of Global Terrorism 2000, Asia Overview," Washington, April 2001.

[35] Barnett Rubin et al, pp. 18-19; HRW, Crisis of Impunity, also documents in detail Pakistan's support for the Taliban. On page 23, it says, "Of all the foreign powers involved in efforts to sustain and manipulate the ongoing fighting [in Afghanistan], Pakistan is distinguished both by the sweep of its objectives and the scale of its efforts."

[36] Barnett Rubin et al, p.10.

[37] Robert D. Kaplan, "The Taliban."

[38] Not all observers agree. BAAG says that Omar does consult with an inner core of ministers, though he retains ultimate authority.

[39] Barnett Rubin et al, p.12.

[40] Ibid., p.12.

[41] BAAG, "Afghanistan Briefing Pack," p. 8;

[42] Barnett Rubin et al, p.3.

[43] Barnett Rubin et al, addresses the roles of Pakistan, Iran, the United States, Russia, Saudi Arabia, Uzbekistan, Turkmenistan, China, and the UN; other sources discuss the roles of the others.

[44] Barnett Rubin et al, p.3.

[45] Ibid., pp. 29-30.

[46] Ibid., p.4.

[47] HRW, "Crisis of Impunity," p. 6.

[48] Ibid., p. 11.

[49] Physicians for Human Rights, "The Taliban's War on Women: Women's Health and Human Rights in Afghanistan," Boston, 2001.

[50] British Agencies Afghanistan Group, "Afghanistan: Monthly Review," May, 2001, p.1.

[51] Agence France Presse, "UN, Embassies Concerned as Foreigners Face Sharia Law in Afghanistan, August 6, 2001.

[52] IRIN, Weekly Round-up covering 17-23 August, 2001.

[53] Yusuf Hassan (UNHCR), "The Crisis the World Forgot," AINA UN Afghanistan Magazine, Fall/Winter 2000, p. 2.

[54] IRIN Press Release, UNOCHA, May 15, 2001.

[55] United Nations Relief Coordination Office, "Humanitarian Crisis in Northern Afghanistan: An Update on Drought, Conflict, and Displacement," June 2001.

[56] World Refugee Survey 2001, U.S. Committee for Refugees, Washington, 2001.

[57] Ibid.



58 United Nations Relief Coordination Office, "Humanitarian Crisis in Northern Afghanistan: An Update on Drought, Conflict, and Displacement," June 2001.

59 Office of the United Nations Coordinator for Afghanistan, "Drought and Displacement in Afghanistan," May 2001.

60 British Agencies Afghanistan Group, "Afghanistan: Monthly Review," May, 2001, p. 3.

61 USCR interview with Michael Sackett, UN Coordinator for Afghanistan, Islamabad, June 2001.

62 The Taliban complain, not without cause, that the international community has not rewarded them for implementing the poppy ban by providing additional assistance to affected farmers. However, the Taliban did not procure such commitments of aid in advance of imposing the ban.

63 British Agencies Afghanistan Group, "Afghanistan: Monthly Review," June, 2001, p. 5.

64 Office of the United Nations Co-ordinator for Afghanistan, "Drought and Displacement in Afghanistan," May 2001. It should also be noted that while Pakistan had a food surplus in 2000, it too is experiencing a significant food shortage in 2001.

65 IRIN, UNOCHA, Islamabad, September 7, 2001.

66 Hiram A. Ruiz, Left Out In the Cold: The Perilous Homecoming of Afghan Refugees; U.S. Committee for Refugees, Washington, December 1992.

67 World Refugee Survey 1994, USCR, Washington.

68 Ruiz, p.

69 Ibid.

70 Ibid.

71 World Refugee Survey 1997, USCR, Washington.

72 Hasim Utkan, UNHCR Representative in Pakistan, Speech delivered to joint meeting of Government of Pakistan, representatives of UN agencies, NGOs, and donor governments, Islamabad, June 12, 2000.

73 World Refugee Survey 1997, USCR, Washington.

74 Often, only the male head of household migrated to the cities, leaving his family settled in the refugee camps; in other cases families sent one or more sons to work in the cities while the parents and younger children remained in the camps

75 Hasim Utkan, UNHCR Representative in Pakistan, Speech delivered to joint meeting of Government of Pakistan, representatives of UN agencies, NGOs, and donor governments, Islamabad, June 12, 2000.

76 USCR interview with Muhammad Haroon Shaukat, director general, Ministry of Foreign Affairs, Islamabad, June 2001.

77 World Refugee Survey 1997, USCR, Washington.

78 World Refugee Survey 1998, USCR, Washington.

79 World Refugee Survey 1999, USCR, Washington.

80 IRIN, UNOCHA, Islamabad, August 16, 2001.

81 There are many examples of this. In its October 27, 2000 Briefing Notes, for example, UNHCR said, "The number of Afghans fleeing fighting in northeastern Afghanistan rose sharply this week, with some 5,000 refugees arriving in Pakistan."

82 USCR interview with UNHCR representative Hasim Utkan, Islamabad, June 2001.

83 Hasim Utkan, UNHCR Representative in Pakistan, Speech delivered to joint meeting of Government of Pakistan, representatives of UN agencies, NGOs, and donor governments, Islamabad, June 12, 2000.

84 Ibid.

85 Ibid.

86 USCR interview with UNHCR representative Hasim Utkan, Islamabad, June 2001.

87 UN study of the forcible return of Afghans from NWFP, 2001.

88 IRIN, UNOCHA, Islamabad, January 26, 2001.

89 USCR interview with UNHCR representative Hasim Utkan, Islamabad, June 2001. It should also be noted that Pakistan was also severely affected by drought.

90 UNHCR reported 2 million Afghan refugees in Pakistan at the end of 2000, of whom, it said, 1.2 million lived in refugee camps. That would suggest that some 800,000 Afghans lived in urban centers. Pakistani authorities believe the number of Afghans living in cities is much higher, however.

91 USCR interview with Maj. Khalid. Khalid told USCR, "In 1995, WFP and UNHCR came up with the idea of discontinuing aid to the refugees. At the time, the government of Pakistan gave silent approval, we didn't say yea or nay. Later on, when people began to move into the cities, we began to express our concern to WFP and UNHCR."

92 UN study of the forcible return of Afghans from NWFP, 2001.

93 Ibid.

94 Ibid.

95 Ibid.

96 IRIN, UNOCHA, Islamabad, March 29, 2001.

97 IRIN, UNOCHA, Islamabad, March 2, 2001.

98 USCR interview with Hasim Utkan, UNHCR representative in Pakistan, Islamabad, June 2001.

99 USCR interviews with Afghan refugees in Islamabad, June 2001.

100 British Agencies Afghanistan Group, "Afghanistan: Monthly Review," June, 2001, p. 7.

101 IRIN, UNOCHA, Islamabad, June 27.

102 Ibid.

103 Radio Free Europe/Radio Liberty, September 28, 2000.

104 USCR findings during site visit to Pakistan in January 2001.

105 UNHCR Briefing Notes, Geneva, October 27, 2000.

106 Agence France Presse, "Pakistani province closes border to Afghan refugees," November 10, 2000.

107 World Refugee Survey 2001, USCR, Washington.

108 UNHCR Briefing Notes, Geneva, January 12, 2001.

109 E-mail from Hasim Utkan, UNHCR Islamabad, September 2001.

110 USCR, "Afghans in Crisis," Washington, February 2, 2001.

111 IRIN, UNOCHA, Islamabad, February 23, 2001.

112 Ibid.



[113] IRIN, UNOCHA , Islamabad, February 1, 2001.
[114] Ibid.
[115] According to UNHCR, between November 9, 2000 (when Pakistan officially closed the border) and January 29, 2001 (when the government told UNHCR to terminate the registration/verification process), UNHCR transferred some 40,000 Afghans from Jalozai to New Shamshatoo.
[116] IRIN, UNOCHA, Islamabad, February 20, 2001.
[117] IRIN, UNOCHA, Peshawar, April 6, 2001.
[118] IRIN, UNOCHA, Islamabad, March 22, 2001.
[119] "Joint Letter [to Ruud Lubbers] from Non-Governmental Organizations Working with Afghans in Pakistan and Afghanistan," May 2001.
[120] IRIN, UNOCHA, Islamabad, May 28, 2001.
[121] IRIN, UNOCHA, Islamabad, May 24, 2001.
[122] International Rescue Committee (IRC), "Survey on Characteristics of The Population of Jalozai Camp," Peshawar, June 2001.
[123] BAAG, Monthly Review, London, July 2001.
[124] USCR interview with Haroon Shaukat, June 2001.
[125] E-mail from Hasim Utkan, UNHCR, to USCR.
[126] IRIN, UNOCHA, Islamabad, July 25, 2001.
[127] Ibid.
[128] IRIN, UNOCHA, Islamabad, July 11, 2001.
[129] World Refugee Survey 2000, USCR, Washington.
[130] Ibid.
[131] See more complete discussion of this issue in section on new arrivals at Jalozai.
[132] "Agreed Understandings for the Screening Process for Afghans in Jalozai makeshift camp, Nasir Bagh camp and Shamshatoo camp to Determine Which persons are in Need of International Protection and Which Are Not."
[133] E-mail from Hasim Utkan, UNHCR, to USCR, August 2001.
[134] "Any person, who is outside his/her country of origin and who is unwilling or unable to return there or to avail him/herself of its protection because of a well-founded fear of being persecuted for reasons of race, religion, nationality.."
[135] "Criteria for Screening", UNHCR Operation Plan for screening program.
[136] Personal communication with Peter Nicolaus.
[137] IRIN, UNOCHA, August 20, 2001.
[138] See, for example, "Prescreening of Afghans living in Nasir Bagh and New Jalozai" (A guide to team leaders and interpreters); and "Information for Afghans in Nasir Bagh and New Jalozai".
[139] "Information Campaign: GOP/UNHCR Joint Screening Exercise Progress Report for 10 August 2001".
[140] UNHCR, "Screening Program Weekly Sitrep 3," August 6 to 11, 2001 and "Screening Program Weekly Sitrep 4," August 15 to 18, 2001.
[141] Ibid.
[142] Personal communication from Peter Nicolaus, UNHCR.





PAKISTAN: AFGHAN REFUGEES SHUNNED AND SCORNED

The appalling terrorist attacks on New York and Washington on September 11, 2001 are likely to trigger fundamental changes in states' and individuals' attitudes towards foreigners, and particularly in the reception and treatment of refugees. The refugee population most likely to be immediately affected is Afghan refugees in Pakistan.

As this paper went to press, the situation on the ground in Afghanistan, Pakistan, and elsewhere in the region was changing daily. Tens—perhaps hundreds—of thousands of Afghans, particularly residents of Kandahar and Kabul, had fled their homes, fearing massive U.S. military retaliation against the Taliban rulers of Afghanistan for harboring Osama bin Laden, the prime suspect behind a network purportedly responsible for multiple acts of terror. Some refugees had made it into Pakistan and Iran, while others were stranded at those countries' borders, unable to enter because Islamabad and Tehran had ordered their borders sealed. Most had sought shelter with relatives and friends in other parts of Afghanistan.

These recently displaced Afghans joined some 4.5 million Afghans who were refugees or internally displaced before September 11 (3.6 million refugees and 900,000 internally displaced). Their displacement added to what was already a catastrophic humanitarian crisis in Afghanistan brought on by 23 years of continuous conflict and the worst drought to hit Afghanistan in 30 years. The situation was made worse still by the withdrawal from Afghanistan of all expatriate personnel of UN agencies and international nongovernmental organizations (NGOs).

While there is new urgency to the questions of whether Pakistan, Iran, and others will allow fleeing Afghans to enter and who will pay for assisting them, other issues remain relating to how Pakistan, in particular, responds to Afghan refugees and asylum seekers. This paper looks at the history of Afghan refuge in Pakistan with a particular focus on developments in the past two years, which have seen a noticeable hardening in attitudes among Pakistani officials and deteriorating conditions for Afghans living in Pakistan.

Whatever Pakistan's policies, the root causes



of the Afghan refugee crisis lie in Afghanistan itself. Unless there is an end to the conflict and human rights abuses in Afghanistan and stability is restored to the country, Afghans will continue to seek protection and assistance in neighboring countries. Pakistan, which has helped fuel the conflict in Afghanistan by arming and financing the Taliban, should recognize that if it wants to stop the flow of refugees, it should direct its efforts in Afghanistan towards trying to bring about peace and ending human rights abuses.

I. INTRODUCTION

The government wants to send a clear message. Enough is enough."[1]

North-West Frontier Province official, January 26, 2001

After two decades of hosting more refugees than any other country in the world, Pakistan says it has had enough. It no longer welcomes new Afghan refugees and is telling the more than two million Afghan refugees living in Pakistan, some for as long as 23 years, that their stay may soon come to an end.

Pakistan's policy shift occurred before the events of September 2001. Between mid-2000 and early 2001, the largest influx of Afghan refugees in several years an estimated 170,000 new arrivals crossed into Pakistan. As the influx developed, Pakistani officials feared that ongoing conflict in Afghanistan and the effects of the worst drought to hit that country in 30 years might result in a much larger number of Afghans heading to Pakistan than actually arrived. That fear was exacerbated by Pakistan's concerns about its faltering economy, resentment toward the international community for its diminished interest in and assistance to Afghan refugees in recent years, increasingly negative attitudes towards Afghan refugees among local people and the media, and the appointment of a governor with anti-refugee sentiments in North-West Frontier Province (NWFP). This combination of factors resulted in what a UN refugee official called an "irreversible and qualitative" change in Pakistani government attitudes, policies, and actions toward Afghan refugees.[2]

Afghan refugees and asylum seekers began feeling the effects of Pakistan's hardened attitude in the summer of 2000. Between then and mid-2001, Pakistani authorities deported several thousand Afghans, harassed and extorted money from countless urban refugees, prevented the international community from properly assisting newly arrived Afghan asylum seekers, officially closed Pakistan's border to new Afghan refugees, and pressured some long-term camp refugees to repatriate.

Pakistan's actions, which the international community has strongly criticized, have caused widespread panic among Afghan refugees, and have brought into question whether future Afghan asylum seekers will be able to find safe haven in Pakistan. They have also contributed to the broader internationalization of the Afghan refugee crisis, as Afghan asylum seekers, no longer confident of finding safe haven in Pakistan, seek refuge in Europe, North America, and Australia. To reach these destinations, they are increasingly turning to smugglers, who take them on dangerous land, air, and sea journeys to countries that are as averse to receiving them as is Pakistan. Government officials in Pakistan note Western countries' increasing impatience with asylum seekers and question why these countries expect Pakistan to be more welcoming than they are.

Pakistan's tough new stance toward Afghan refugees should not come as a surprise to the international community. Since the mid-1990s, donors have substantially reduced assistance to Afghan refugees, leaving Pakistan to shoulder much of the economic burden of their presence. Some of those same donors, including the United States, have imposed economic sanctions on Pakistan because of its development of nuclear weapons and lack of democracy. Pakistani officials claim that the sanctions have weakened its economy and make it impossible to continue hosting a refugee population of more than two million people who, they say, no longer need protection as refugees, take jobs from local people, cause crime, and exacerbate social problems such as drug use and prostitution.[3]

However, there is another aspect of the situation that Pakistani officials are reluctant to discuss but that must be weighed when assessing Pakistan's actions towards Afghan refugees: Pakistan's role in fueling the conflict in Afghanistan. According to numerous sources, Pakistan has provided the Taliban funds, military supplies, training, recruits, and at times even troops. In doing so, Pakistan has contributed to the conditions that cause Afghans to flee to Pakistan. Thus, for the government of Pakistan to then take steps to deter Afghan refugees from entering, and to pressure refugees who have been in Pakistan for years to leave, is reprehensible.

Pakistan's hardened stance toward Afghan




Hazara Afghan Refugees in Pakistan.
Photo: USCR/Hiram A. Ruiz

refugees and the continuing conflict and humanitarian crisis in Afghanistan pose difficult challenges for the international community. Conflict and human rights abuses in Afghanistan are likely to continue to provoke further refugee exoduses. The effects of continued drought might also prompt more Afghans to migrate to Pakistan, especially if the relief effort led by UN agencies and Western NGOs stops—either because the Taliban make it impossible for outsiders to provide assistance, or because the outside world can no longer tolerate support of any kind to Afghanistan. If the United States determines that Osama bin Laden was responsible for the terrorist attacks in New York and Washington on September 11, 2001, and were the United States to carry out retaliatory military attacks on targets in Afghanistan, that, too, could prompt another mass exodus of Afghans into Pakistan.

The U.S. Committee for Refugees visited Afghanistan once and Pakistan twice in 2001. Our first visit focused on the unfolding humanitarian crisis in Afghanistan and Afghan refugees' and displaced persons' emergency needs. In our second visit, we sought to understand the reasons for Pakistan's changed attitude toward Afghan refugees, and to assess the implications of that change for the refugees. This paper is based, in part, on USCR's findings during those visits.

II. MAIN FINDINGS

1. Pakistan's attitude toward Afghan refugees has changed significantly—for the worse. It no longer welcomes new Afghan refugees and is pressuring many of the Afghan refugees already in Pakistan to leave.

In mid-2000, the largest influx of Afghan refugees to enter Pakistan in four years began. It followed heavy fighting in northern Afghanistan and the widening effects of the worst drought to hit Afghanistan in 30 years. The influx alarmed the government of Pakistan, which feared that many more Afghans might head to Pakistan, and triggered a negative backlash against Afghan refugees by both national and local authorities, particularly in North-West Frontier Province.

2. Pakistan's change of heart towards Afghan refugees did not take place overnight; it had been building for years. The international community's lack of support for Afghan refugees following the end of the Cold War contributed significantly to Pakistan's hardened attitude towards Afghan refugees.

What appeared to be a fairly sudden change of heart by a country long praised for its generosity toward refugees was, in fact, the culmination of a long process.

From the late 1970s until the early 1990s, the international community lavished substantial assistance on Pakistan and on Afghan refugees in Pakistan (as well as on Afghan groups battling Soviet forces in Afghanistan). However, from the early 1990s until late 2000, UN requests for funds to assist Afghan refugees, internally displaced Afghans, and other war-affected Afghans generated little donor response. UN agencies and NGOs working in Pakistan significantly

scaled back their level of assistance to Afghan refugees. That reduction in aid, which Pakistan rightly interpreted as reduced international interest in and commitment to the refugees, had negative economic and social consequences for the country. It also left Pakistan with the sense that it couldn't count on the international community should another major influx of Afghan refugees occur.

3. Since mid-2000, Afghanistan has been in the midst of one of the worst crises in its troubled history. It is besieged by conflict, in the grip of an unrelenting drought that has generated a humanitarian disaster, and largely under the control of a group—the Taliban—that is widely condemned for abusing human rights.

4. The international community's initial response to Afghanistan's deteriorating conditions in mid-2000 was lukewarm. Consequently, when relief groups were unable to reach many of those in need, tens of thousands of people were forced to migrate within Afghanistan or to Pakistan in search of food.

The international community — and the United States in particular — has since significantly increased its level of assistance, but the situation in Afghanistan remains dire. Consequently, Afghans are likely to continue to seek refuge or assistance outside their country, not only in Pakistan, but in other neighboring countries and further beyond.

5. Pakistan's hardened attitude toward refugees has manifested itself in the refoulement (forced return) of Afghan refugees, police harassment of urban refugees, pressure on some refugees to voluntarily repatriate, and the introduction of a screening program for both new and some long-term refugees that, while promising increased protection for some, will also lead to the deportation of others.

6. Afghan refugees living in Pakistan's cities were the first to feel the effects of Pakistan's hardening attitude towards Afghans.

During 2000, police in Pakistan's main cities, particularly in Peshawar, stepped up their harassment, extortion, abuse, detention, and *refoulement* of urban refugees. An Afghan refugee in Islamabad reportedly died in June 2001 as a result of police abuses.

In early 2001, the NWFP government, almost certainly with the approval of the national government, embarked on a policy of mass *refoulement*. The governor of NWFP reportedly instructed each police station in Peshawar to deport a minimum of five to ten Afghan men daily. According to government statistics, the authorities rounded up and forcibly returned some 1,200 Afghan men from Peshawar between October 2000 and mid-May. Other sources said that Pakistani authorities forcibly returned a much higher number. One news report suggested that Pakistan deported as many as 10,000 Afghans without formal documents in February 2001 alone.

7. Afghan asylum seekers who arrived in Pakistan in late 2000 and early 2001 bore the brunt of Pakistan's hostility.

Between August and December 2000, tens of thousands of newly arrived Afghan asylum seekers took refuge at Jalozai (near Peshawar), the site of a former refugee camp. They suffered poor conditions, primarily because the site was unsuitable and because the UN High Commissioner for Refugees (UNHCR) lacked the funds it needed to respond adequately. But UNHCR obtained additional funds and by January 2001 had transferred all the new arrivals to a more suitable site, New Shamshatoo camp, where it was better able to assist the recent arrivals.

Within days of UNHCR's completing the transfer, another 50,000 to 60,000 people appeared at Jalozai. UNHCR began registering the new arrivals for food distribution, but the Pakistani authorities, apparently fearing that if UNHCR registered the new arrivals it would legitimize their presence in Pakistan and encourage more Afghan arrivals, told UNHCR to halt the registration.

UNHCR, the World Food Program (WFP), and NGOs seeking to assist new arrivals believed that without a registration process it would be impossible to distribute aid without causing riots. Consequently, camp residents went without food or other relief items. Despite repeated requests from UNHCR and others, the government of Pakistan also would not permit UNHCR to move the refugees to a more suitable site. Conditions at Jalozai quickly deteriorated, turning the situation there into what news reports described as "one of the worst humanitarian crises in the world."



UZB.
TURKMENISTAN
TAJIKISTAN
CHINA
Taloqan
Mazar-e-Sharif
NORTHERN AREAS
N.W.F.P.
Kashmir
Herat
KABUL
Jalalabad
Peshawar
Jalozai
ISLAMABAD
Hangu
AFGHANISTAN
Kandahar
Lahore
Quetta
PUNJAB
PAKISTAN
IRAN
BALUCHISTAN
INDIA
SINDH
Karachi
Arabian Sea

8. Some of the Afghans who sought refuge in Pakistan in 2000 and 2001 left Afghanistan primarily because of the effects of drought. A significant majority, however, fled Afghanistan either in part or primarily to escape fighting or persecution.

USCR's observations reaffirm the findings of surveys carried out in early and mid-2001 by WFP and the International Rescue Committee (IRC), a U.S.-based NGO, that most of the Afghans who have sought refuge in Pakistan since mid-2000 left Afghanistan because of fighting in their home areas. That fighting resulted in the destruction of their homes, prevented them from farming or working, and put them at risk of death or injury, forced recruitment, or having to pay taxes to armed groups to avoid being recruited. Many of those who fled for these reasons also lived in areas that were affected by the drought, which left them without resources to rebuild following the destruction of their homes, or unable to sustain themselves when nearby fighting prevented them from farming.



9. UNHCR and the government of Pakistan have initiated a "screening" agreement that will provide ongoing protection to some new arrivals and provisional refuge to others, but will lead to the deportation of those determined not to be in need of protection.

In July 2001, Pakistani authorities and UNHCR began a screening program for 50,000 new arrivals at Jalozai and some 70,000 long-term residents of Nasir Bagh camp, on the outskirts of Peshawar. Pakistani authorities plan to extend the screening to recent arrivals at New Shamshatoo camp after the screening at Jalozai and Nasir Bagh is completed. The screening is intended to distinguish those in need of protection from those who are not. Under the terms of the agreement, Pakistan will permit those who are "screened in" to remain temporarily, but deport to Afghanistan those who are "screened out." Pakistan will also permit screened-out Afghans whom UNHCR considers to be particularly vulnerable to remain in Pakistan provisionally.

UNHCR will provide assistance to screened-in Afghans at existing refugee camps. Screened-out Afghans who are deported will not receive assistance. Afghans scheduled to be screened can opt to repatriate voluntarily at a pre-screening interview, or at any time during the process. UNHCR provides financial assistance to those who opt for voluntary repatriation.

10. Pakistani authorities have applied the screening program to some long-term Afghan refugees, including a number who have been in Pakistan for up to 23 years, and may extend it to other long-term refugees.

When the government of Pakistan agreed to the screening program, it insisted that the screening be applied not only to new arrivals at Jalozai, but also to the 70,000 long-term residents of Nasir Bagh, on the outskirts of Peshawar. Pakistani authorities have been wanting to remove the refugees from Nasir Bagh for years so that a housing cooperative can build there. UNHCR will offer screened-in Nasir Bagh residents places in other camps, but the refugees will lose the homes they built at Nasir Bagh and will not be compensated for their losses. They will also lose the jobs many of them held in Peshawar. Pakistan will deport most of those who are screened out.

It is not clear whether the government plans to extend the screening program to residents of other long-term refugee camps. However, it has established a precedent for doing so by applying the screening to Nasir Bagh's residents.

11. Pakistani authorities strongly pressured Afghans at Nasir Bagh to repatriate before the start of the screening process.

Before the screening program began at Nasir Bagh, local Pakistani authorities took advantage of Nasir Bagh residents' lack of knowledge about the forthcoming screening process to pressure some refugees into opting for voluntary repatriation. Officials told them that they would probably be screened out and deported without assistance, and should therefore repatriate voluntarily with assistance. UNHCR subsequently halted voluntary repatriation until the pre-screening phase began.

12. Afghans who were opting for voluntary repatriation prior to September 11, 2001 were doing so largely because of the pressure that Pakistan's hardened attitude towards Afghan refugees placed on them.

There are various reasons why thousands of Afghans in Pakistan were opting for voluntary repatriation before September 11, 2001. At both Jalozai and Nasir Bagh, some chose voluntary repatriation out of fear of being screened out and deported to Afghanistan without assistance. At Nasir Bagh, some chose voluntary repatriation because even if they were screened in, they would lose both their homes and their jobs and be forced back into dependence on international assistance at a rural refugee camp. Some Nasir Bagh residents who chose voluntary repatriation may have had the resources to move to Peshawar instead of to a rural camp, but may have feared being exposed to police harassment and the increased difficulties in finding employment and housing that Afghans in urban centers were facing.

All of these reasons for choosing voluntary repatriation demonstrate the influence of Pakistan's hardened attitude towards Afghans—a stance that encouraged local authorities to harass Afghan refugees, resulted in a screening process that, if it continues, will lead to the deportation of most of the refugees who are screened out, and led to the decision to evacuate Nasir Bagh camp.



PAKISTAN

Afghan Refugees Shunned and Scorned

September 2001



U.S. COMMITTEE FOR REFUGEES